NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

POLICING THE HOMELAND: CHOOSING THE INTELLIGENT OPTION

by

Raymond A. Guidetti

March 2006

Thesis Advisor: David Brannan
Second Reader: Gerard LaSalle

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REPORT DOCUMENTATION PAGE			*Form Approved OMB No. 0704-0188*
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.			
1. AGENCY USE ONLY (*Leave blank*)	**2. REPORT DATE** March 2006	**3. REPORT TYPE AND DATES COVERED** Master's Thesis	
4. TITLE AND SUBTITLE Policing The Homeland: Choosing The Intelligent Option			**5. FUNDING NUMBERS**
6. AUTHOR(S) Raymond A. Guidetti			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			**8. PERFORMING ORGANIZATION REPORT NUMBER**
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) New Jersey State Police PO Box 7068 West Trenton, NJ 08260			**10. SPONSORING/MONITORING AGENCY REPORT NUMBER**
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.			
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited.			**12b. DISTRIBUTION CODE** A

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      This thesis evaluates the options state police organizations have for adopting an appropriate style of policing for Homeland Security. A case study of the New Jersey State Police (NJSP) response to this challenge further examines how such organizations can transform their structures and processes to bolster their intelligence apparatus. The NJSP objective was to confront the challenges of Homeland Security while better equipping the organization to respond to its traditional investigative responsibilities. Using the example of the NJSP, the study provides a realistic set of solutions for other state police organizations to implement when setting their own course in the Homeland Security Era.			

14. SUBJECT TERMS Intelligence; Counter Terrorism; Homeland Security; Intelligence-Led Policing; State Police; New Jersey State Police			**15. NUMBER OF PAGES** 111
			16. PRICE CODE
17. SECURITY CLASSIFICATION OF REPORT Unclassified	**18. SECURITY CLASSIFICATION OF THIS PAGE** Unclassified	**19. SECURITY CLASSIFICATION OF ABSTRACT** Unclassified	**20. LIMITATION OF ABSTRACT** UL

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POLICING THE HOMELAND: CHOOSING THE INTELLIGENT OPTION

Raymond A. Guidetti
Sergeant First Class-New Jersey State Police
M.A., Seton Hall University, 1998

Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(HOMELAND SECURITY AND DEFENSE)**

from the

**NAVAL POSTGRADUATE SCHOOL
March 2006**

Author: Raymond A Guidetti

Approved by: David Brannan, Ph.D.
                 Thesis Advisor

                 Gerard LaSalle, Ph.D.
                 Second Reader

                 Douglas Porch, Ph.D.
                 Chairman, Department of National Security Affairs

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Shortly after September 11, 2001, our nation's law enforcement community found itself ill prepared to handle the range of responsibilities required in a nation under the threat of terrorism. Police organizations hastily assigned resources to help mitigate areas hit hard by the attack while dispersing investigative capital to prevent future strikes. A stark realization would follow, exposing the demands of coping with counter-terrorism while balancing finite resources aimed at traditional crime fighting. These added challenges underscored the notion that American policing had entered a new era – Homeland Security.

This thesis evaluates the options state police organizations have for adopting an appropriate style of policing for Homeland Security. A case study of the New Jersey State Police (NJSP) response to this challenge further examines how such organizations can transform their structures and processes to bolster their intelligence apparatus. The NJSP objective was to confront the challenges of Homeland Security while better equipping the organization to respond to its traditional investigative responsibilities. Using the example of the NJSP, the study provides a realistic set of solutions for other state police organizations to implement when setting their own course in the Homeland Security Era

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I.   INTRODUCTION

A.   PROBLEM

For state police organizations, the impact of Homeland Security has carried with it varied responsibilities that beg for new policies, new structures, and new strategies. These organizations – situated on the front lines of an asymmetrical battlefield, across from an unknown enemy often outside the range and authority of the United States military – are at the center of the nation's Homeland Security efforts. Supporting this notion, the Northeast Policy Forum, sponsored by the National Criminal Justice Association, identified state law enforcement as being on the "front lines of defense by collecting intelligence/criminal information, developing strategies to protect our communities and our critical infrastructures, hardening vulnerable targets, and preparing for aggressive responses to acts of terrorism."[1] However, even as government policy makers and politicians alike continue to frame the states' role as paramount to our country's security, the police themselves face unanswered questions about how best to carry out this new mission.

The purpose of this thesis is threefold. It will argue that policing in general has moved into a new era of Homeland Security. By assessing contrasting policy options, it will offer an agenda for change that state police organizations can adopt when confronting the challenges inherent to policing in the Homeland Security Era. Finally, the research will explore how the New Jersey State Police imposed changes to its policies, structures, and strategies to tackle Homeland Security investigative challenges by adopting intelligence-led policing in both theory and practice, and attempt to demonstrate that such an organizational change may become generalizable to other state police organizations.

Significantly, state police organizations are well-known for custom and tradition – meaning change is painful and slow. As a result, reform efforts are dependent more on cultural aspects that yield change than creative ideas that win support from change

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[1] National Criminal Justice Association, *Final Report Northeast Policy Forum: Serving and Protecting in the Shadow of Terrorism* (Washington, D.C.: Bureau of Justice Assistance, 2003), 2. The National Criminal Justice Association. *Serving and Protecting in the Shadow of Terrorism*, 2.

advocates.[2] Dr. Paul Stockton, a professor at the Naval Postgraduate School in Monterey, California, argues that organizations need two factors to divorce themselves from an institutional-stasis. First, an occurrence must demonstrate the status quo is problematic or obsolete. Second, an organization, in response to the event, must impose an agenda for change. A significant event alone is not enough; without an agenda for change, organizations continue performing in the status quo, making minor modifications that may appear as if change is occurring. Stockton graphically refers to this as "putting lipstick on the dinosaur."[3]

The attacks of September 11, 2001, clearly serve as an impetus for change for state police organizations, effectively discrediting the status quo of traditional policing. Since the terror attacks, it is widely accepted that in order to prevent terrorism, police must move away from long-established and primarily reactive policing strategies and towards carrying out strategies underscored by the principles of intelligence. The research has uncovered scores of documents that corroborate this notion. Both *The National Strategy for Homeland Security* and *The 9/11 Commission Report* have memorialized why government entities must move away from the status quo and draw upon creative means for preventing terrorism while ensuring Homeland Security.[4] These documents have essentially sounded the call to arms for state law enforcement to change its business processes to include collecting and sharing intelligence to thwart future acts of terrorism.

There has been no official mandate establishing American police organizations as key elements in our nation's defense.[5] Only the rallying call by the media and the public for the police to defend the homeland has thrust them into its newest venue. Anecdotal evidence at the state level, collected shortly after September 11, reveals that state police

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[2] J. Crank, *Understanding Police Culture,* 2nd ed, (Cinncinnati, Ohio: Anderson Publishing Co., 2004), 4.

[3] Paul Stockton, "Law Enforcement and Judicial System Issues in Homeland Security." Lecture, Naval Postgraduate School, Monterey, CA, September 27, 2005.

[4] George W. Bush, *National Strategy for Homeland Security* (Washington, DC: Office of the White House, 2002); National Commission on Terrorist Attacks Upon the United States, *9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States,* (New York, NY: W.W. Norton & Company, 2004).

[5] Nathan R. White, *Defending the Homeland Domestic Intelligence, Law Enforcement, and Security,* eds. Sabra Horne and Dawn Mesa (Belmont, CA: Wadsworth/Thomson Learning, 2004), 54.

are practicing many new Homeland Security roles such as: a) coordinating Homeland Security at the state level; b) collecting, analyzing and sharing critical information and intelligence; c) protecting critical infrastructure and key assets; d) securing the nation's borders, air, and sea ports; e) collaborating with federal and local law enforcement on task forces; and f) preparing for new response equipment, tactics, systems, and training.[6] The new principles and fundamental viewpoints that coincide with policing the homeland will foster the notion that policing has entered a new era – the Homeland Security Era.

Success in their new Homeland Security role, promulgated by the Tenth Amendment and the focus on states' responsibility for securing themselves, will require state police organizations to advance an agenda for change.[7] The impact of Homeland Security on state law enforcement is too enormous for organizations to attempt retrofitting new strategies into old systems or to continue traditional forms of policing. A report from The Council of State Governments and Eastern Kentucky University illustrates the enormous impact of Homeland Security on state law enforcement through a 50-state survey conducted in 2003 of state and local law enforcement agencies.[8] As Figure 1 indicates, survey respondents report that changing conditions inherent to Homeland Security have provided unprecedented roles for state law enforcement. According to the survey, state agencies are very much engaged in Homeland Security initiatives resulting in overtaxed resources and personnel.[9]

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[6] The Council of State Governments and Eastern Kentucky University Through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions,* 7.

[7] Also called the Police Powers Amendment, the Tenth Amendment reads, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

[8] The Council of State Governments and Eastern Kentucky University Through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions*.

[9] Ibid., 7.

- Approximately three quarters of state law enforcement agencies report a great amount of involvement in or serve as their state's leader for gathering, analyzing and sharing terrorism-related intelligence. Overall, state police are much more involved today than before Sept. 11 in building their state's intelligence capabilities, conducting terrorism-related investigations, and coordinating and planning for Homeland Security.
- More than 70 percent of state agencies agree that their individual officers and investigators have significant new responsibilities in terrorism-related intelligence-gathering, investigations, and emergency response. These new requirements are having a substantial impact on state police intelligence, planning and grants-management efforts.
- Local law enforcement agencies are requesting more operational assistance and support from state police today than before Sept. 11, particularly training, technical assistance, forensic science, specialized services, and help with computer crimes. State agencies have provided additional training and technical assistance to local agencies.
- More than 75 percent of state agencies report that their assignment of personnel to federal task forces has increased or significantly increased since Sept. 11. While state police interaction with federal immigration officials has increased, federal support for drug and traditional crime investigations has decreased across the states.
- Among many federal agencies, state and local law enforcement most commonly report increased levels of interaction since Sept. 11 with the FBI, Office for Domestic Preparedness and Immigration and Naturalization.
- More than 60 percent of state police agencies report an increase in their interactions with corporate security representatives and private companies concerning facility security and worker background checks. Relationships with the private sector have generally increased, likely resulting in more state agency times and resources required for these public-private activities.

Figure 1.　　Key Findings from 50-state Survey
(From: The Council of State Governments and Eastern Kentucky University through support from the National Institute of Justice, The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions [Washington, D.C.:U.S. Department of Justice, 2005], 7.)

Recognizing the difficulties associated with such institutional changes, this research paper seeks to answer the question: "What is the best strategy for state police organizations to adopt when policing in the Homeland Security Era?"

B.   SIGNIFICANCE OF RESEARCH

With the exception of Hawaii, every state has a state-level police organization. These organizations, with 56,348 members, represent approximately 7 percent of the total law enforcement officers nationwide.[10] In contrast local police, account for 56% of the total number with 440,920 members nationwide.[11] This may explain why a considerable amount of empirical research has focused more on local policing efforts reflective of city police departments involved in crime control strategies and counter-terrorism strategies than on the operations of state police organizations. Historical data and literature on states' operational roles and activities related to terrorism are also virtually non-existent.[12] When it comes to state police organizations, there is a lack of parity in research.

Breaking from the contemporary research pattern, this report will explore policing strategies aimed directly at the state level. It will examine the policy options that state police organizations can adopt when choosing a policing strategy for providing Homeland Security to their constituents. It is true that September 11 has affected all police agencies; however, because state police entities are filling the gaps and vacuums created by new roles and changes in policing conditions, it is paramount that research provides these organizations with an avenue worth modeling.[13]

C.   LITERATURE REVIEW

There is a paucity of existing empirical literature on the implementation of intelligence-led policing programs in the United States. In contrast, the body of knowledge related to Homeland Security, as one would expect, is capacious. When the two concepts are meshed for outcome results, again there is sparse empirical research. This probably exists, not because the interest on the academic level is not there, but

10 Bureau of Justice Statistics. "Law Enforcement Statistics," [http://www.ojp.usdoj.gov/bjs/lawenf.htm], January 2006.

11 Bureau of Justice Statistics. "Law Enforcement Statistics," [http://www.ojp.usdoj.gov/bjs/lawenf.htm], January 2006.

12 The Council of State Governments and Eastern Kentucky University Through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions,* 11.

13 Ibid., 7.

perhaps because Homeland Security and many of its dimensions are a relatively new phenomenon, and have not been operationalized and examined. These examinations are further complicated by the traditional reluctance of law enforcement agencies to share data and operational evaluations with other agencies or institutions.

Intelligence-led policing remains a novel concept in American policing. Dannels and Smith (2001) investigated its implementation challenges within the Lexington County Sheriff's Department, South Carolina.[14] Their research concluded that intelligence-led policing was an evolution of the Community Oriented Policing and Problem Oriented Policing strategies aimed at resource allocation and supervision. Resource allocation referred to equipment and personnel distribution related to crime solving initiatives.

Carter (2004) on the other hand posits, "intelligence-led policing is explained from an operational perspective, illustrating its interrelationship with community-policing and Comp Stat."[15] His research, outlined in an intelligence guide for law enforcement agencies, draws a comparison between community-policing and intelligence-led policing for the sole reason that they rely equally on such methods as: information management, two-way communication, scientific data analysis, and problem solving.[16] He views intelligence-led policing as the new dimension of community policing,[17] capable of "providing meaningful and trustworthy direction to law enforcement decision makers about complex unlawful activities, including criminal enterprises and extremists, as well as terrorists."[18]

Peterson (2005) writes the aim of intelligence-led policing is targeting key criminal activities. "Once crime problems are identified and quantified through

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[14] David Dannels and Heather Smith. "Implementation Challenges of Intelligence Led Policing in a Quasi-Rural County." *Journal of Crime & Justice* 24, no. 2 (2001).

[15] David L. Carter, *Law Enforcement Intelligence: A Guide for State, Local, and Tribal Agencies* (Washington, DC: U.S. Department of Justice, November 2004), vi. **Note**: The Comp Stat acronym stands for "computer statistics." It was originated by the New York City Police Department, as a multilayered strategy aimed at crime reduction, improvement of quality of life issues, and resource management.

[16] Ibid., 42.

[17] Ibid., 41.

[18] David L. Carter, "The Law Enforcement Intelligence Function: State, Local, and Tribal Agencies," *FBI Law Enforcement Bulletin* 74, no. 6 (2005): 2.

intelligence assessments, key criminals can be targeted for investigation and prosecution."[19] Her research emphasizes the value of analysis in the field of criminal intelligence. The development of fusion centers in the United States, she adds, will bolster intelligence-led policing efforts.

> These fusion centers – derived from the watch centers of old – provide information to patrol officers, detectives, management, and other participating personnel and agencies on specific criminals, crime groups, and criminal activities. For example, they may support anti-terrorism and other specific objectives. The centers may search numerous public and private databases to gather and analyze information. They may also generate intelligence products of their own, providing overviews of terrorist or other crime groups, analysis of trends, and other items of information for dissemination to participating agencies.[20]

In contrast to the new phenomena in America, intelligence-led policing finds its roots in the United Kingdom (UK) in the early 1990s. When the UK Audit Commission (1993) issued a report entitled *Helping with Enquiries; Tackling Crime Effectively,* it essentially spurred the dawn of intelligence-led policing.[21] The report, grounded in the notion that crime control could be more economical, advocated the use of informants to prevent and solve crimes compared to the less effective measure of interrogations following the arrest of suspects. As reported by Ratcliffe (2003), the Audit Commission's report contained three central tenets related to policing in the UK: a) existing roles and the level of accountability lacked integration and efficiency, b) the police were failing to make the best use of resources, and c) greater emphasis on tackling criminals would be more effective than focusing on crimes.[22]

The Audit Commission report was followed by a broader strategy shift by Ericson (1994), who purported that surveillance systems could displace suspect populations,

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[19] Marilyn Peterson, "Intelligence-led Policing: The New Intelligence Architecture (Washington, DC: U.S. Department of Justice, September 2005), 9.

[20] Peterson, "Intelligence-led Policing," 9.

[21] Audit Commission, *Helping with Enquiries: Tackling Crime Effectively.* London: Audit Commission, 1993.

[22] JH Ratcliffe, "Intelligence-Led Policing." *Trends and Issues in Crime and Criminal Justice* No. 248 (2003).

adding to the value of intelligence in the hands of the police.[23] Maguire and John (1995) added to this debate by recognizing the value that integrating surveillance and informants have in engendering intelligence.[24] Ericson and Haggerty (1997) in the noted text, *Policing the Risk Society*, contended the police, through their diverse information systems, had become brokers of information. Their research underscored the value of information technology in managing policing operations. Building on this research, Maguire (1999) argued that "diverse initiatives" were beginning to "improve aspects of police effectiveness.[25] What these initiatives had in common were "strategic, future-oriented, and targeted approach to crime control, focusing upon the identification, analysis, and management of persisting and developing problems or risks."[26]

Heaton (2000), reviewing Britain's Home Office crime statistics at that time, by Barclay et. al. (1993), revealed that of all recordable crimes committed there was only a 3 percent conviction rate in the courts.[27] His assertion was that if police instead targeted the comparatively smaller number of recidivist offenders they would enjoy a higher rate of success in crime control endeavors while at the same time using fewer resources. Heaton's research underscored the underlying rationale of the Audit Commission's (1993) report: intelligence-led policing should focus less on past offenses than upon the behavior of those committing the significant portions of crime. The mantra of intelligence-led policing became "target the criminal, not just the crime."

In 2000, the National Criminal Intelligence Service (NCIS) produced a report detailing *The National Intelligence Model*. The NCIS provided the following definition for intelligence-led policing:

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23 Richard Ericson, "The Royal Commission on Criminal Justice System Surveillance", in M. McConville and L. Bridges (eds.) *Criminal Justice in Crisis* (Aldershot: Edward Elgar, 1994), 139.

24 M. Maguire and T. John, "Intelligence, Surveillance, and Informants: Integrated Approaches," *Police Research Group Crime and Prevention Series* (1995).

25 Mike Maguire, "Policing by Risks and Targets: Some Dimensions and Implications of Intelligence-Led Crime Control," *Policing and Society* 9 (1999): 316.

26 Ibid.

27 Robert Heaton, "The Prospects for Intelligence-led Policing; Some Historical and Quantitative Considerations," *Policing and Society* 9, no. 4 (2000): 29.

Intelligence-led policing is the applications of criminal intelligence analysis as an objective decision making tool in order to facilitate crime reduction and prevention through effective policing strategies and external partnership projects drawn from an evidential base.[28]

Ratcliffe (2003) has built upon the rationale of intelligence-led policing developed by the NCIS. His research conveyed that, "to be truly intelligence-led, the first stage of the model is to be able to interpret the criminal environment. This is usually performed by an intelligence section or unit, and relies on a broad range of information sources both within and external to the police service."[29] He follows this with two additional stages, which require the intelligence structure to influence decision-makers regarding crime reduction strategies and for decision-makers to explore ways to impact on the criminal environment using the intelligence generated by the intelligence apparatus. Ratcliffe (2004) completed a case study "exploring the difficulties of converting intelligence-led rhetoric into intelligence-led practice" within the New Zealand police.[30] Ratcliffe noticed a recurrent theme throughout the interviews he conducted, "a lack of understanding of the role and place of intelligence within the organization, at the executive decision-making level."[31]

The understanding of intelligence-led policing gained from the body of knowledge produced by the UK researchers was valuable in terms of understanding this innovative policing style. Much of it was generalizeable to police organizations in operation within the United States. However, the intent of this thesis is to focus on implementing intelligence-led policing into an American state police organization that, by nature, is traditional and resistant to change. To this end, the literature review has exposed a gap in the body of knowledge this thesis intends to fill: exploring the implementation of intelligence-led policing into a state police organization.

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28 National Criminal Intelligence Service, *The National Intelligence Model (*London: National Criminal Intelligence Service, 2000).

29 Ratcliffe, "Intelligence-Led Policing," 3.

30 JH. Ratcliffe, "(in Press) the Effectiveness of Police Intelligence Management: A New Zealand Case Study," *Police Practice and Research,* 11.

31 Ibid.

D.   HYPOTHESIS

The tragic events of September 11, 2001 serve as a significant milestone in the history of state law enforcement. Consequently, this study will explore, first, how the terrorist attacks have thrust policing into the new era of Homeland Security. Second, it will address how the events themselves have engendered the question for state law enforcement organizations to consider, including which style of policing best suits these organizations for carrying out their new Homeland Security mission. Next, this study will analyze divergent policy options with the purpose of recommending the preferred course of action for state police organizations to adopt when policing the homeland. Lastly, the research will explore how the NJSP implemented the intelligence-led policing policy option into the architecture of their organization. The terrorists who spent time living amongst us were in areas under the purview of state police organizations. With proper alignment and strategic focus, these organizations may perhaps disrupt or prevent future attacks.

E.   METHODOLOGY

Despite more than four years since the attacks on the World Trade Center and the Pentagon, the field of Homeland Security, as it relates to policing, is still rapidly evolving. As White (2004) points out, law enforcement commanders remain befuddled over the evolving issue of Homeland Security.[32] It seems as though, from the perspective of a police executive, their capacity to provide solutions to questions that arise from the newness of the Homeland Security field is clearly outpaced by the rate at which the questions arise. This presents a unique challenge for researchers. For one, there are a multitude of critical issues that warrant attention, in particular, civil liberties, intelligence gathering, privacy rights, police organization and its structure.[33] Yet, because no suitable sampling framework may exist, researchers must often rely on the comparative analysis of traditional policing problems when considering this type of Homeland Security issue. Recognizing this constraint, this research will compare and contrast conventional policing strategies using the policy options analysis method.

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[32] White, *Defending the Homeland Domestic Intelligence,* preface.

[33] Ibid.

In following the policy options analysis method, the research will provide a clear definition of the problem. It will explain why it is a problem, whom it affects, and how. By using an accurate representative sampling of sources from interviews, surveys, participant observations, government informational sources, and a review of existing literature, the research will recommend a strategy option that best addresses the problem. The researcher will achieve this by evaluating the proposed courses of action against the primary criteria considered as valuable to an effective policing organization functioning in the Homeland Security Era. Assessments of each of the alternative courses presented include the limits of each in terms of solving the problem and their resulting implications.

In addition to the policy options analysis used for deciding the best course of action in policing the homeland, the author selected a case study method to evaluate how the NJSP structured intelligence-led policing into its framework. The protocol for this examination followed an embedded single case study of revelatory nature.[34] The author leveraged the prospect of directly observing the mechanics of how intelligence-led policing and its associated processes integrated into the NJSP. This provided a notable opportunity to record and analyze the phenomenon of organizational change; something not always accessible in similar investigations.

Throughout this case study, the research explored various evidential sources. These sources consisted of archival records, interviews, and direct participant observations. The archival records portion also specifically included a review of policy documents, training documents, organizational documents, surveys, official police reports, annual reports, other internal documents, media accounts, legal guidelines and related case laws for their value in this study.

F.   OUTLINE

1.   Chapter I – Introduction

The apocalyptic aftermath experienced during the September 11 terrorist assault on America's homeland provoked many police leaders to question the status quo in their choice of policing styles against the backdrop of Homeland Security. Because the

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34 Robert K. Yin ed., *Case Study Research: Design and Methods,* third edition (Thousand Oaks, California: Sage Publications, 2003), 179.

terrorist events significantly impacted state police organizations in terms of added responsibilities and duties, questioning existing modes of policing is particularly relevant. This chapter will introduces the concept of breaching an organization's institutional-stasis through a robust agenda for change that advances new means for confronting new challenges.

2.   Chapter II – What is Homeland Security?

This chapter explores the new milieu of Homeland Security as it relates to domestic governmental actions. It provides an explanation for Homeland Security in the legal, political, and organizational context. This new characterization will give relevance to the challenges that await state police organizations that must now operate in this latest domain.

3.   Chapter III – Entering the Homeland Security Era

This chapter argues that American policing has entered a new era: an era of Homeland Security. The fundamental argument is that the tragic events of September 11 and the counter-terrorism prevention strategies that followed have overwhelmingly shaped the structure, policies, and practices of policing organizations nationwide, consequently thrusting policing into a contemporary age.

4.   Chapter IV - Evaluative Criteria for Policing the Homeland

This chapter identifies and discusses the essential characteristics necessary for policing in the homeland. The elements of operational readiness, intelligence and warning, and strategic intelligence planning combine to form the compulsory ingredients integral for an effective Homeland Security police mission. For those state police organizations aiming to be effective in the Homeland Security domain, they will undeniably need to impose a management philosophy that integrates these valued criteria into their purpose.

5.   Chapter V – Alternative Paradigms for Policing the Homeland

This chapter outlines three divergent philosophies that state police organizations might advance when confronted by the challenges inherent to Homeland Security. Professional policing, community policing, and intelligence-led policing make up the alternatives offered in this thesis. Each paradigm tenders its own unique attributes that signify the preferred style of policing.

6.   Chapter VI – Projecting the Outcomes

This chapter explores each of the three paradigms of policing mentioned (professional policing, community policing, and intelligence-led policing) for their practical application in the Homeland Security venue. The research analyzes these alternatives, relative to state police operations, against the backdrop of evaluative criteria discussed in an earlier chapter.

7.   Chapter VII – Assessing the Options and Making a Recommendation

For state police executives accepting that organizational change is compulsory, the challenge is to recognize what is the best plan to follow. The previous chapters outlined three distinct policing managerial philosophies, each one representing an agenda for change that state police organizations can adopt when deciding on how to best police the homeland. This chapter analyzes the trade-offs between each of the outcomes articulated previously and then make a recommendation to state police executives on which course of action to choose.

8.   Chapter VIII – Organizational Change and Intelligence-led Policing in the New Jersey State Police: A Case Study

This chapter outlines the organizational changes the NJSP Investigations Branch has undertaken to infuse intelligence-led policing into its architecture. The case study details five strategic interventions the NJSP used to facilitate this change. The interventions included removing architectural barriers, adopting the processes intrinsic to an intelligence-led policing philosophy, creating a "Fusion Center," retooling the distribution and management of its Statewide Intelligence Management System, and

adopting a regional accountability plan for managing intelligence and enforcement operations related to organized criminal activities. The chapter concludes by assessing the revisions the NJSP imposed against the backdrop of Homeland Security evaluative criteria.

9.   Chapter IX – Conclusion

The final chapter culminates by answering the two questions raised in this thesis. First, has American policing entered the new era of Homeland Security? Second, what is the best model for state police organizations to adopt when confronting the challenges presented in this new era? Moreover, the chapter summarizes the NJSP Investigations Branch case study, which sought to integrate intelligence-led policing into its architecture. Lastly, the chapter provides recommendations for future research that may build on this thesis.

II.   WHAT IS HOMELAND SECURITY?

> A concerted national effort to prevent terrorist attacks within the United
> States, reduce America's vulnerability to terrorism, and minimize the
> damage and recover from attacks that do occur.[35]

In the wake of the September 11, 2001 terrorist attacks, while our nation struggled to grasp the asymmetric threat that exposed our domestic flank, Homeland Security became a recognizable neologism throughout the United States. Although the phrase implies several connotations that include a national strategy, a department in our federal government, and, most importantly, a guiding philosophy that defines organizational missions and goals to determine policies and practices, it has fueled a debate involving the states and the federal government. At the core of this debate are the three significant guiding principles of the American government: federalism, Posse Comitatus, and the Tenth Amendment, each of which have implications for advancing the primary role of state and local law enforcement in defending the homeland.

In essence, federalism is a system of decentralized power delegated to the states under the Constitution to keep the federal government from becoming a tyrannical body. During the period between 1787 and 1788, the author known only as "Publius" began writing a series of articles in The New-York Journal. The articles, 85 in total, known as "The Federalist Papers," were intent on stirring the emotions of the public and the constitutional convention members. The real authors – John Jay, James Madison, and Alexander Hamilton – envisaged that their writings would promote support for ratifying the proposed Constitution. They were indeed correct, for today, over 200 years later; these writings uphold the underpinnings of the American tradition of federalism grounded in the United States Constitution. In Federalist #45, Publius described, "the powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people; and the internal order, improvement, and prosperity of the State."[36] The passage describes the authority,

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[35] Bush, *National Strategy for Homeland Security*, 2.

[36] Anonymous, *The Federalist. The Famous Papers on the Principles of American Government,* ed. Benjamin F. Wright (New York, NY: Barnes & Noble, 1961), 328.

promulgated under the Constitution, for entrusting the states with the local duty of public health, safety, emergency management, and law enforcement.[37] Perhaps, then, it is the tradition of federalism itself that seats state governments as the principal element in our Homeland Security.

However, several noted national security experts argue that since terrorists from foreign countries pose the greatest threat to our Homeland Security, it is the military that should take up arms and provide for our common defense. As O'Connor (2005) points out, the common defense is the federal government's responsibility stemming from the Preamble to the Constitution: "…to form a more perfect Union, establish justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."[38] However, as was the case with the September 11 hijackers who carried out their covert operations inside our domestic borders, terrorists operating in the United States are outside the range of our military because the Posse Comitatus Act forbids them from carrying out domestic law enforcement. As with federalism, Posse Comitatus may place at least part of the responsibility for Homeland Security squarely on the shoulders of the states that are entrusted with dispensing local law enforcement.

Moreover, the Tenth Amendment of the U.S. Constitution ensures that states can exercise sovereignty from the federal government in producing state initiatives.[39] Also called the Police Powers Amendment, the Tenth Amendment reads, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."[40] Is Homeland Security a state initiative protected by the Tenth Amendment? Even so, the trend that underscores Homeland Security efforts today focuses on prevention and preemption. Interestingly

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[37] T. O'Connor, "Homeland Security Overview & Statutory Authority," [http://faculty.ncwc.edu/TOConnor/431/default.htm]. November 2005.

[38] Ibid.

[39] Ibid.

[40] Steve Mount, "The U.S. Constitution Online." [http://www.usconstitution.net/const.html#Am10]. February 2006.

enough, that terminology is consistent with a mission of law enforcement rather than one of National Security, which preserves a global presence of engagement and containment.[41]

Does it matter then that in defining Homeland Security there is much debate over who is responsible for it? Perhaps. O'Connor (2005) cites a two-sided debate involving the states and the federal government over the significance of Homeland Security.[42] He adds that, on one side, Homeland Security is seen by the states as a local issue incorporating counter-terrorism initiatives into existing all-hazards strategies. He considers this a bottom-up approach to Homeland Security. In contrast, proponents for federal centralization of Homeland Security speak for "a seamless integrated system that protects all citizens."[43] The argument is that state governments are extremely limited in their capacities for handling terrorist attacks. O'Connor (2005) labels this the top-down approach to Homeland Security in that it requires federal standards to ensure best practices for Homeland Security.[44]

An advocate of the top-down approach may argue the President's *National Strategy for Homeland Security* is a federal standard that mandates best practices. The strategy defines its mission as mobilizing and organizing the nation to secure the homeland from terrorist attacks by coordinating a focused effort from our entire society – the federal government, state and local governments, the private sector, and the American people.[45] Regardless of the side of the debate one chooses to promote, the national strategy – divided into six critical mission areas – provides a useful framework for aligning security efforts and critical decision making at both the federal and state levels. These areas include:

> **Intelligence and Warning** – Incorporates information collection and analysis techniques to detect and alert authorities of suspicious activity that, left unchecked, may lead to a terrorist event.

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[41] T. O'Connor . "Homeland Security Overview & Statutory Authority."

[42] Ibid.

[43] Ibid.

[44] Ibid.

[45] Bush, *National Strategy for Homeland Security*, 1.

Border and Transportation Security – Promotes innovative security initiatives that effectively and efficiently protect our borders and domestic transportation systems from the destructive objectives of terrorists.

Domestic Counter-terrorism – Prioritizes the collective mission of federal, state, and local law enforcement towards preventing and interdicting terrorist activity.

Protecting Critical Infrastructure and Key Assets – Focuses and improves efforts at securing the nation's critical infrastructure components.

Defending against Catastrophic Threats – Advances new approaches and strategies for preventing terrorist use of weapons of mass destruction.

Emergency Preparedness and Response – Prepares and consolidates emergency response plans to ensure federal, state, local, and private sector organizations are equipped and trained for emergencies.[46]

Under the current debate, Homeland Security may seem amorphous to state law enforcement executives who may be weighing alternatives for adopting new policing strategies – particularly when the approaches to Homeland Security in their respective regions may wax and wane depending on the entities involved. Yet, the fact remains that ensuring Homeland Security will rely on preemptive methods that develop the abilities of the police to detect and disrupt terrorists before they can strike.[47]

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[46] Bush, *National Strategy for Homeland Security,* viii.

[47] White, *Defending the Homeland Domestic Intelligence,* 61.

III. POLICING ENTERS THE HOMELAND SECURITY ERA

The history of policing in America has been defined largely by three eras: the Political Era, the Professional Era, and the Community Era. Each of these periods carries with it its own set of characteristic ideologies or guiding philosophies.[48] Henry (2003) argues that for policing as an institution as well as for individual agencies, the guiding philosophy of each era defines overall missions and goals, determines the kind of policies and practices that are developed, and generally shapes the way departments are organized and managed.[49] The tragic events of September 11 and the counter-terrorism prevention strategies that followed have overwhelmingly shaped the structure, policies, and practices of policing organizations nationwide, thereby thrusting policing into a contemporary age. In his article *The Era of Homeland Security: September 11, 2001, to …,* Oliver (2005) argues this point by adapting the research of Kelling and Moore.[50] Kelling and Moore scrutinized police organizational strategies in seven topic elements – authorization, function, organization, demand, environment, tactics, and outcomes – in order to differentiate the evolution of policing throughout American history.[51] Table 1 reflects Oliver's adaptation of Kelling and Moore's work to include the Homeland Security Era of policing.

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[48] Vincent E. Henry, *The COMPSTAT Paradigm: Management Accountability in Policing, Business, and the Public Sector* (Flushing, NY: Looseleaf Law Publications, Inc., 2003), 73.

[49] Ibid.

[50] Willard M. Oliver, "The Era of Homeland Security: September 11, 2001, to ..." *Crime and Justice International* 21, no. 85 (2005): 10.

[51] G.L. Kelling, and M.H. Moore, "The Evolving Strategy of Policing," *Perspectives on Policing* 4 (1988).

Elements	Political Era	Professional Era	Community Era	Homeland Security Era
Authorization	Politics and law	Law and professionalism	Community support (political), law, professionalism	National/International threats (politics), law (intergovernmental), professionalism
Function	Broad social services	Crime control	Broad, provision of service	Crime control, antiterrorism/counter-terrorism, intelligence gathering
Organizational Design	Decentralized	Centralized, classical	Decentralized, task forces, matrices	Centralized decision-making, decentralized execution
Relationship to Environment	Intimate	Professionally remote	Intimate	Professional
Demand	Decentralized, to patrol and politicians	Centralized	Decentralized	Centralized
Tactics and Technology	Foot patrol	Preventive patrol and rapid response to calls for service	Foot patrol, problem solving, etc.	Risk assessment, police operations centers, information systems
Outcome	Citizen political satisfaction	Crime control	Quality of life and citizen satisfaction	Citizen safety, crime control, anti-terrorism

Table 1.   The Four Eras of Policing based upon Organizational Strategy
(From: W.M. Oliver, "The Era of Homeland Security: September 11, 2001, to…" Crime and Justice International 21, no. 85)

Shortly after the terrorist attacks, in a landmark decision President Bush established an Office of Homeland Security within the White House, signaling the Government's important mission of protecting the homeland from future assaults.[52] One of the first orders of business for this new office was to produce a strategic document that would rally the nation's efforts from federal, state, local, and the private-sector agencies toward a mission of Homeland Security. By delineating three strategic objectives of Homeland Security in order of priority, the intent was to channel the energy and commitment in support of the national and [future] local strategies.[53] The three objectives are:

- Prevent terrorist attacks within the United States;
- Reduce America's vulnerability to terrorism; and
- Minimize the damage and recover from attacks that do occur,

Collectively, these objectives steer law enforcement organizations when dedicating resources needed to avert terrorism and the consequences associated with attacks.

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[52] Bush, *National Strategy for Homeland Security,* introductory letter.

[53] Ibid.

The National Strategy for Homeland Security has provided police a mandate for defending our nation in this new era. It has essentially embodied a new spirit in American policing, by articulating a new philosophy intended to generate innovation and organizational change among police organizations. Advancing these creative changes will undoubtedly affect long and short-term operations and radically alter existing organizational structures. The New York City Police Department (NYPD), the New Jersey State Police (NJSP), and the Los Angeles County Sheriff's Department (LASD) have all experienced organizational transformation in response to the Homeland Security Era.

In a recent issue of *The New Yorker Online*, William Finnegan explored the NYPD's adaptation to defending the homeland.[54] He claims that before September 11, NYPD had fewer than 24 officers working in the counter-terrorism field. Today, they have established a Counter-Terrorism Bureau and redeployed more than 1,000 police officers to impose preventive measures through Operations Atlas, Nexus, and Hercules.[55] By realigning its organizational structure, the NYPD has mustered an impressive array of resources now aimed at counter-terrorism. Counter-terrorism deployments, intelligence and threat information, infrastructure protection, training for private sector security personnel, physical security planning for special events, critical incident response, and an NYPD website that disseminates important messages to the private sector are all in the NYPD's arsenal to counter-terrorism attacks.[56] New York City has also launched a 24-hour-a-day hot line for terrorism tip and leads.[57]

Across the river from New York, the NJSP has also imposed sweeping organizational change in responding to Homeland Security demands. First, the NJSP took an unprecedented step of forming a Homeland Security Branch. In a conversation with the author on December 27, 2005, Colonel Joseph Fuentes revealed that by focusing on

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[54] W. Finnegan, "Defending the City," [http://www.newyorker.com/online/content/articles/050725]. December 2005.

[55] The National Criminal Justice Association, *Serving and Protecting in the Shadow of Terrorism*, 2.

[56] "NYPD Shield Homepage," [http://www.nypd2.org/nyclink/nypd/html/ctb/resources.html]. November 2005.

[57] National Criminal Justice Association, *Final Report Northeast Policy Forum: Serving and Protecting in the Shadow of Terrorism,* 2.

the organization's table of organization, it became readily apparent that, at the time, the existing structure could not support the rapid response or continued effort needed for the new era of force protection. By realigning his units that shared similar responsibilities for Homeland Security under a centralized command structure, he essentially enabled the NJSP to rise to an elevated threat level and stay there. Second, the NJSP transformed its existing Investigations Branch to confront the investigative challenges of Homeland Security. This transformation, discussed in a later chapter (Chapter VIII), is grounded in the principles of intelligence-led policing and illustrates another prevailing sign of a shift in policing philosophies: Police organizations are implementing intelligence collection and sharing strategies aimed at prevention.

On the west coast, the LASD has retooled their organizational framework to focus on Homeland Security. Through the creation of a Terrorism Early Warning (TEW) group, the LASD has focused its resources on intelligence exchange to prevent terrorist attacks. The TEW is a multi-jurisdictional intelligence center responsible for building cooperative efforts needed to maintain the response capabilities in the Los Angeles County area.[58] The TEW group focuses its operational efforts on threat identification, early warning, and real-time situation assessment. Sullivan (2005) cites a reported increase in terrorist transactions with transnational organized crime as another reason that underscores the need for TEW.[59] The TEW remains a model intelligence center for police organizations nationwide exploring the concept of "all hazards."

Although these examples are limited to three distinct organizations, the characteristic ideologies and guiding philosophies of Homeland Security on policing institutions nationwide are extensive.[60] Today, the principal funding streams available for financing police initiatives are under federal Homeland Security grant programs. Homeland Security monies have replaced the traditional law enforcement funding mechanisms from the past. The Local Law Enforcement Block Grant, the Edward Byrne Memorial Grant, and the Community Oriented Policing Services (COPS) grant saw huge

[58] John Sullivan, *Intelligence for Homeland Security: Organizational and Policy Challenges (lecture, Naval Postgraduate School, Monterey, CA, April 29, 2005).*

[59] Ibid.

[60] Note: It is expected that examples similar to these would be limited at this point, as the Homeland Security Era in reality is only four years old.

cuts in the 2005 Federal Budget.[61] Instead, the three main programs for law enforcement organizations to obtain funds are the State Homeland Security Grant program, the Law Enforcement Terrorism Prevention program, and the Urban Area Security Initiative.[62]

In addition, police training programs nationwide currently include elements of Homeland Security practices and counter-terrorism. The Bureau of Justice Assistance (BJA) has made available grant funds and technical assistance for counter-terrorism prevention and response training programs around the country.[63] The BJA's State and Local Anti-Terrorism Training (SLATT) has educated well over 30,000 law enforcement officials nationwide and has created a train the trainer curriculum to enable each state to increase its capacity for counter- terrorism training.[64] Moreover, the narrow margin of error associated with failing to recognize terrorist related activity or failing to respond effectively to other catastrophes has compelled police organizations nationwide to incorporate Homeland Security practices into their policies and protocols. Like other police organizations, the NJSP Investigations Branch has incorporated language in their standing operating procedures (SOP) that ensures commanders are responsible for sharing information related to terrorist activity. For instance, all Bureau level SOP within the hierarchal structure of the Investigations Branch contain the following language; "The Bureau Chief will ensure that any information or intelligence related to terrorism

acquired by personnel under their command is immediately forwarded to the Regional Operations Intelligence Center, in order to ensure a timely investigative and/or security response."[65]

"While it is true that all types of police agencies have been significantly affected post-September 11, it seems that state law enforcement agencies have been affected the

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61 G. Voegtlin and J. Boyter, *"2005 Federal Budget Proposal Released; State and Local Law Enforcement Assistance Programs Face Cuts,"* [http://policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=233&issue_id=3 2004>]. December 2005.

62 Ibid.

63 National Criminal Justice Association, *Final Report Northeast Policy Forum: Serving and Protecting in the Shadow of Terrorism,* 5.

64 Ibid.

65 Note: As a participant observer, this researcher was able to participate in creating the final version of the new standing operating procedures for the NJSP Investigations Branch.

most."[66] For state police organizations whose responsibilities extend well beyond the territorial boundaries of single communities and encompass large regional and functional jurisdictions, resource allocation is a primary concern for daily and strategic operations. State police organizations, in conjunction with highway patrol, general policing, and other duties that run the gamut from specialized investigations to technical support, must balance resources needed to advance other Homeland Security initiatives. The initiatives have had a considerable impact on state police organizations. Figure 2 illustrates the contrast between state and local law enforcement organizations' allocation of resources toward Homeland Security.

The following percentages of state and local law enforcement agencies say they have allocated more or many more resources toward certain operational responsibilities since Sept. 11.
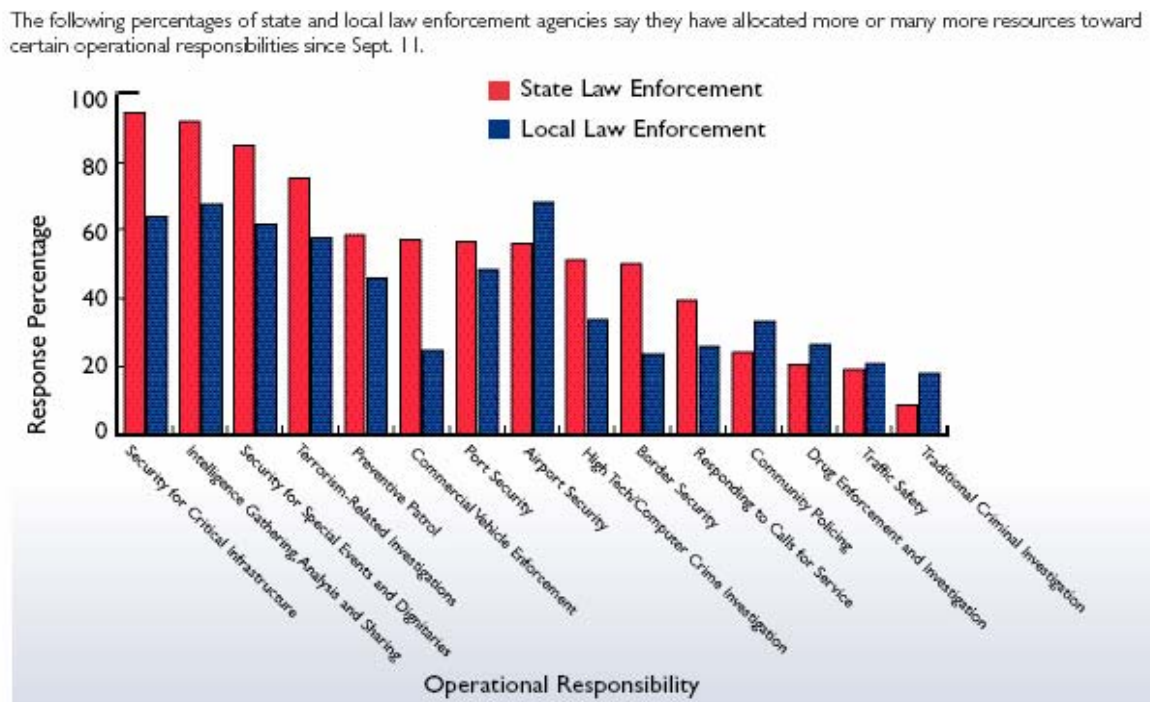
Figure 2.   Allocation of Resources by State and Local Law Enforcement
(From: The Council of State Governments and Eastern Kentucky University through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions* [Washington, D.C.:U.S. Department of Justice, 2005], 18.)

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66 The Council of State Governments and Eastern Kentucky University Through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions,* 7.

The following quote cited from the report by The Council of State Governments and Eastern Kentucky University, provides a detailed explanation of Figure 2:

> As indicated by the red bars, three-quarters or more of all state-level respondents indicated they allocated more resources to security for critical infrastructure, special events and dignitaries; intelligence gathering, analysis and sharing; and terrorism-related investigations. Not reflected in this figure, state agencies were most likely to report fewer resources to drug enforcement and traditional criminal investigation. A majority of states, however, reported no change in allocation of resources for these two operational responsibilities.
>
> State agencies were more likely than local ones to report allocating more resources for most operational responsibilities, except for airport security, community-policing, drug enforcement and investigation, traffic safety and traditional criminal investigation. Fewer than 22 percent of state and local agencies reported allocating additional resources to traffic safety and traditional criminal investigation.
>
> Although the patterns of resource allocation or reallocation since Sept. 11 were similar among state and local agencies, there were notable differences. Is this still part of the quote? If so it needs to be indented .5" from the right margin
>
> > A greater percentage of state agencies reported the allocation of more resources to 10 to 15 comparable responsibilities, suggesting that these concerns have had a larger impact (as measured by allocation of more resources) on state agencies than on local ones.
> >
> > State agencies were substantially more likely than local agencies to report devoting more resources to border security; commercial vehicle enforcement; security for critical infrastructure; security for special events and dignitaries; intelligence gathering, analysis and sharing; terrorism-related investigations.
> >
> > Unlike state agencies, local ones did not report allocating substantially more resources for any operational responsibility since Sept. 11.
>
> After analyzing responses by the type of state agencies and size of local agencies, the most striking differences are found in responses of small and larger agencies. As with state agencies, a relatively high percent of large local agencies reported allocating more resources to security for critical infrastructure, events and dignitaries, intelligence gathering, analysis and

sharing; terrorism-related investigations. Small local agencies were consistently less likely to report allocating more resources for various operational responsibilities.[67]

In addition, the overall function and responsibilities in support of state law enforcement have transformed radically since September 11. Homeland Security now dominates the missions of these law enforcement organizations. Figure 3 illustrates the 2004 survey administered by the Council of State Governments and Eastern Kentucky University. The survey identified the percentage of state law enforcement agencies who reported sizeable contributions to their state's Homeland Security initiatives. The assessment revealed that state law enforcement officers and investigators have seen increased responsibilities in the areas of investigating terrorist acts, responding to terrorist events, terrorism-related intelligence gathering and conducting vulnerability assessments.[68] The survey results also reported changes among state-level officers' and investigators' duties and responsibilities to be more substantial than those of their local contemporaries.[69]

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[67] The Council of State Governments and Eastern Kentucky University Through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions*, 19.

[68] The Council of State Governments and Eastern Kentucky University Through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions*, 24.

[69] Ibid.

Homeland Security Initiative	Great Amount or Our Agency is the Leader
Terrorism-related intelligence gathering, analysis and dissemination	75.4%
Homeland security planning for the state	61.3%
Protection of dignitaries	58.1%
Conducting critical infrastructure, key asset and vulnerability assessments	56.5%
Emergency response to terrorism-related incidents	55.7%
Protection of critical infrastructure	53.2%
Coordinates homeland security activities in the state	53.2%
Homeland security training for law enforcement	45.2%
Serves as state's primary contact to DHS and other federal agencies for homeland security	39.3%
Source of homeland security announcements for the public	33.9%
Distribution of the state's federal homeland security funding	29.0%
Homeland security education/training for the public	22.6%

Figure 3.　　Homeland Security Roles for State Law Enforcement
(From: The Council of State Governments and Eastern Kentucky University through support from the National Institute of Justice, *The Impact of Terrorism on State Law Enforcement: Adjusting to New Roles and Changing Conditions* [Washington, D.C.:U.S. Department of Justice, 2005].)

Unmistakably, advancing Homeland Security and its coupled initiatives have significantly altered the face of our nation's law enforcement efforts. Its effect on the organizational structure and functions of police agencies has transformed some organizations, most notably state police and large urban police departments, into small armies capable of moving resources and personnel in the direction of affected problem

areas exposed by current intelligence reporting. In the history of American policing, nothing has advanced the "dialectical process of integrating diverse ideas and practices" into policing than the advent of Homeland Security.[70]

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[70] Henry recognizes this phenomenon when he speaks to "the gradual dialectical process of reconciling different ideas and practices that result in organizations adopting policies and practices of a new philosophy while continuing some practices and policies of older philosophies." See Henry, *The COMPSTAT paradigm: management accountability in policing, business, and the public sector,* 73.

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IV.   EVALUATIVE CRITERIA FOR POLICING THE HOMELAND

In this new era of policing, state law enforcement professionals will face new problems that require a blend of urgent action and strategic planning, while still addressing crime issues from bygone eras. Even the most credible threat of a pending terrorist attack will not disrupt the determined street gang or drug trafficking enterprise from carrying out their intended transgressions. Organized crime figures, in particular, are unabashed in their efforts to find prospective criminal ends while other more pressing issues find a way to consume the efforts of the police. "We are today," says President George Bush, "a Nation at risk to a new and changing threat."[71] The President speaks to this threat as one of terrorism that takes many forms, has many places to hide, and is often invisible.[72] Yet, this threat is even more significant and takes on an added dimension when combined with the bulk of traditional crime problems that already affect society. Those in charge of state law enforcement organizations will need to develop strategies and crime control operations that engage "all hazards all crimes" if they are to be effective in preserving the nation's Homeland Security.

An important factor for carrying out a strategy designed to confront the complexities of policing in the Homeland Security Era is to unearth a policing philosophy capable of a diverse set of principles. It should include the capacity to promote and sustain operational readiness. It should also be capable of maintaining a robust apparatus for delivering intelligence and warning. In principle, the philosophy should also promote strategic intelligence planning at its foundation. These principles will provide evaluative criteria useful for judging policy options that state police will choose from when deciding on how best to police the homeland.

A.   OPERATIONAL READINESS

State police organizations, post September 11, have a duty and obligation to express a high degree of readiness. In an interview with the author on March 10, 2005, Brigadier General Simon Perry, of the Israeli Police and Ministry of Public Safety,

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71 Bush, *National Strategy for Homeland Security,* introductory letter.

72 Ibid.

argued the ability to defend against threats is contingent on an organization's capacity to sustain operational readiness. Operational readiness, he proclaimed, is the sum of several factors: a) the coordination of specialized intelligence units; b) a police force trained in intelligence; c) targeted objectives designed to increase intelligence operations; and d) strategic actions employed against criminal networks.

Given that information is such a critical feature in modern societies, policing organizations operating in the new milieu of Homeland Security must contain specialized units capable of ferreting out information that suggests criminal or terrorist activity.[73] As is the case with reactive policing models, the police derive information after an event. With terrorism, this is intolerable because the margin of error is narrow and risk to the public is great. The best-case scenario would be if the police could have information before or during the occurrence of a criminal act.[74] Specialized intelligence units carry out the concept of proactive policing using intelligence, informants, and surveillance to try to provide such an edge.[75]

In effect, General Perry's tacit knowledge of counter-terrorism strategy buttressed what Nathan White, in his book *Defending the Homeland: Domestic Intelligence, Law Enforcement, and Security*, affirms: "most importantly, the police should not be viewed as a reactive force. Because of their investigative and intelligence capabilities, they have the unique opportunity to strike terrorists before terrorists can attack…the American police are in a perfect position to engage in intelligence gathering activities and expand their role in national defense."[76] Yet, having a state police force trained in intelligence involves an organization's universal acceptance that intelligence is the driving force behind all strategic and tactical operations regardless of the activity. The result is the collection and analysis of information that guides all enforcement, investigative, and security initiatives.

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[73] Peter Manning, "Information Technologies and the Police," in M. Tonry and M. Norris, Eds., *Modern Policing* (Chicago: University of Chicago Press, 1992).

[74] R. Huremagic, "Intelligence Led Policing in Bosnia and Herzegovia - the Issues for Debate." [http://www.10iacc.org/content-ns.phtml?documents=300&art=39]. November 2004.

[75] Ibid.

[76] White, *Defending the Homeland Domestic Intelligence, Law Enforcement, and Security,* 54.

According to General Perry, the Israel National Police employ a tactic called "blanket intelligence coverage," which involves establishing intelligence assets throughout communities that, although legitimate, may indirectly support criminal or terrorist activities. For instance, applying this concept in the United States would be advantageous for state policing organizations to establish communications – either covert or overt – with members in certain industries that unknowingly support criminal activity. One case in point would be the hotel industry that serves both legitimate and illegitimate patrons. In particular, in the days leading up to the September 11 attacks, the hijackers gathered in hotel rooms near selected airports.[77] Those events only serve to underscore the need for state police organizations to task informers in the future to be alert for suspicious activity in and around hotels. Having a base of information sources able to supply the state police with accounts of suspicious activity can assist in the operational readiness of the organization. Blanket intelligence coverage is one example of a targeted objective designed to increase intelligence operations.

It may seem that to disrupt organized criminal groups or terrorist cells the police must target them directly. Law enforcement practitioners will argue that, since the criminal justice system may lack the agility to disrupt criminal networks, the police should rely on alternative methods for disruption. For instance, strategic actions employed against money remitters may curtail money-laundering efforts by organized criminals. Enforcing local ordinances or traffic violations may do more to remove the opportunities criminals and terrorists exploit than actually arresting offenders. Regardless, the outcome is the prevention of crime and terrorism. The Israel National Police, recognizing an inexorable link between money laundering and terrorism, proactively target money launderers even in the absence of any specific knowledge of terrorism associations.[78] As the Israelis' example demonstrates, strategic measures against criminal networks require creativity.

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[77] *9/11 Commission Report, 253.*

[78] Simon Perry, *Police Intelligence lecture presented at the Suicide Bomber Seminar sponsored by the Jewish Institute of National Security Affairs held at* Princeton University (Princeton, NJ, 2004).

B. INTELLIGENCE AND WARNING

The goal of Homeland Security is the preemptive mitigation of a threat. This requires organizational objectives that institute policies that foster prevention. For state policing organizations, it may involve "policy analysis, reorganization, intelligence gathering" and information processing systems.[79] Terrorism depends on surprise; with it, a terrorist attack has the potential to do massive damage to an unwitting and unprepared target. Without it, the terrorists stand a good chance of exposure by authorities, and even if they are not, the damage from their attacks is likely to be less severe.[80] Through proactive defense strategies, including warning intelligence systems, policing organizations can defeat the surprise needed by terrorists to commit their odious acts.

The National Strategy of Homeland Security lists "Intelligence and Warning" as a critical mission area that focuses mainly on preventing terrorist attacks.[81] Today, state policing organizations must reconfigure their architecture to promote the intelligence and warning function to prevent surprise from terrorists and the scourge of organized criminals. As a concept, Homeland Security involves active defense, but it specifically calls for a type of intelligence strongly tied to creating warning.[82] Warning intelligence requires a fast transfer of intelligence collection, analysis, and dissemination. It focuses on the premonitory awareness of threats in order to discern preventive actions. It requires the fusion of information from "conventional and unconventional approaches."[83]

For state policing organizations, promoting warning intelligence will require establishing an intelligence fusion center. The Global Justice Information Sharing Initiative, sponsored by the Department of Justice, defines a fusion center as an effective and efficient mechanism to exchange information and intelligence, maximize resources, streamline operations, and improve the ability to fight crime and terrorism by merging

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[79] O'Connor, "Homeland Security Overview & Statutory Authority," [http://faculty.ncwc.edu/TOConnor/431/default.htm]. November 2005.

[80] Bush, *National Strategy for Homeland Security, 15.*

[81] Ibid.

[82] O'Connor, "Homeland Security Overview & Statutory Authority," [http://faculty.ncwc.edu/TOConnor/431/default.htm]. November 2005.

[83] Ibid.

data from various sources.[84] The guidelines set forth for fusion centers intend for them to integrate law enforcement, public safety, and private sector entities toward the goal of developing robust collaborative environments. It is likely the finished products from these intelligence centers will leverage opportunities for preventing, interdicting, and solving crimes.

In the new era of policing, it is vital that state policing organizations increase their capacities for supplying and processing warning intelligence. In the past, most state police organizations were event driven, waiting for events to happen and then responding appropriately. Now society expects law enforcement entities to "connect the dots" and prevent incidents before their occurrence. Yes, it may be a challenge at first for the state police to break from more traditional reactive models, but Homeland Security calls for doing things inherently different. Getting serious about Homeland Security will require the state police to make changes that foster intelligence and warning systems needed to prevent terror attacks.

C.   STRATEGIC INTELLIGENCE PLANNING

Strategic intelligence planning is the process for shaping organizational direction and strategies to achieve desired outcomes by ensuring adequate effort is put into the collection of intelligence. Strategic intelligence planning offers state policing organizations the ability to set priorities and earmark assets to address those priorities. The process affords commanders an analytical view towards the challenges their organizations may face, whether criminal or terror related. It offers an introspective assessment of the organization's own capacities. In certain cases, it may provide awareness of the organization's operating environment, describing legal, political, demographic, social, and economic factors. Lastly, the process can supply a vulnerability assessment that identifies and evaluates certain industries, geographical areas and populations in terms of their susceptibility for exploitation by organized criminal elements or terrorists.

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[84] Global Justice Information Sharing Initiative, *Fusion Center Standards: Developing and Sharing Intelligence in a New World. Guidelines for establishing and operating fusion centers at the local, state, and federal level* (Washington, DC: Bureau of Justice Assistance, July 2005).

In an age when competing interests can easily distract state police commanders from their vital missions, strategic intelligence planning provides a systematic approach toward carrying out these desired outcomes. It provides managers with an extended capacity for coping with the challenges that confront their organizations. It results in greater allocation of resources based on objective needs. It takes advantage of organizational strengths while limiting exposure brought on by organizational weaknesses. The environment that today's state police organizations maneuver in only serves to underscore the need for strategic intelligence planning as a fundamental element toward developing effective policing and crime reduction strategies.

A typical state police jurisdiction presents several challenges for the responsible policing entity. The calls for service and traffic enforcement warrant constant attention. The investigations of crimes – both petty and serious – draw upon an organization's finite investigative resources. Community outreach programs, the backbone of an earlier policing era, also demand concentration. The seemingly relentless rise in terror alerts consume investigative and security assets, sometimes for long periods. Collectively these obligations can devour any state police organization's reserves. Measuring responses to the challenges present in Homeland Security requires alternative strategies.

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A state policing organization aiming to be effective in the Homeland Security Era will undeniably need to impose a management philosophy that integrates the above-mentioned criteria into its purpose. The next chapter will assess three primary policing philosophies against the backdrop of these criteria.

V.   ALTERNATIVE PARADIGMS OF POLICING

The central theme of a policing style is to aid an organization through navigating the challenges faced while affecting crime control strategies and the delivery of services to the public. However, with over 17,000 law enforcement agencies nationwide and nearly 800,000 full time sworn law enforcement officers, there is no one style of policing that is practiced consistently throughout the United States.[85] While the history of modern American policing has endured several ideological reform movements, often, police organizations adopt a tailored style of policing that is more a hybrid of many policing philosophies, choosing the best aspects from each to serve the needs of their jurisdiction. These philosophies, designed to manage police operations, consist of rigorous principles that guide police action while setting them apart from the other reform movements. Policing philosophies, when applied in the field, in reality morph to fit local interpretations influenced by jurisdictional factors. Yet today, the policing environment has changed drastically with all police organizations compelled to adopt a style of policing that is flexible enough to address the challenges police are likely to face, while still preserving rights afforded to its constituents by the Constitution.[86] Ratcliffe (2004) argues the rapid changes in the criminal environment include transnational crime becoming more transnational while organized criminals manage themselves more methodically.[87] Terrorists – both international and domestic – have also shaped the environment in which the police operate, exerting tremendous influence over how the police must function to protect its citizens from the death and destruction or the fear that terrorism invokes. If that is not enough, national disasters – from hurricanes, tsunamis, tornadoes, floods, and earthquakes – regularly consume the resources of the police in

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[85] Bureau of Justice Statistics, *Law Enforcement Statistics.*

[86] White, *Defending the Homeland Domestic Intelligence, Law Enforcement, and Security,* 16.

[87] Jerry Ratcliffe ed., *Strategic Thinking in Criminal Intelligence* (Sydney, Australia: The Federation Press, 2004), 1.

planning for and responding to these tragic events. In all, the ever-expanding role of law enforcement to combat a broader array of ills does not correspond with an equal expansion in resources.[88]

The central theme of this thesis will answer the fundamental question: What is the best course of action for state police organizations to adopt as an agenda for change in confronting the challenges of the Homeland Security Era? In constructing the alternative solutions for this problem, the research focused on existing knowledge related to policing philosophies practiced in the United States today. Using a policy options analysis, the thesis distilled alternative policing solutions into three options. They include the Professional Model of policing, Community-policing, and Intelligence-led Policing. What follows is an explanation of each style of policing.

A.   PROFESSIONAL MODEL OF POLICING

> The Professional Model of policing entails insulation from undue influence, corruption control, bureaucratic structures and clearly delineated lines of authority, the imposition of civil service hiring and promotion standards, effective and efficient crime control, tighter supervision, and enhanced training and education for police officers.[89]

The vestiges of the Professional Model of policing are rooted in virtually every police department in the United States. First constructed as a means to control corruption and misconduct (byproducts of an earlier era of policing known as the Political Era), the Professional Model aimed to alleviate the domination of political influences over police operations. The Professional Model afforded tighter supervision over personnel and centered on responding to incidents of crime while providing service to the public. The mantra of the Los Angeles Police Department: "To Protect and Serve" best captures the essence of the Professional Model of policing. In effect, the Professional Model of policing has raised the skill sets and efficiency of law enforcement officers nationally.

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88 Ratcliffe, *Strategic Thinking in Criminal Intelligence,* 1.

89 Henry, *The COMPSTAT paradigm,* 80.

August Vollmer, the police chief for Berkeley, California, from 1905 to 1932, is regarded as the "patriarch of police professionalism."[90] His vision of policing as a complex enterprise, demanded intelligence, knowledge, and social skills, and required advanced training and higher education for police to transform themselves into scientific crime fighters.[91] Vollmer is credited with introducing America to such things as stoplights, police car radios, crime laboratories, and lie detectors, and was a strong advocate for the use of motorized patrol to provide quicker service.[92] These innovations and a variety of other management techniques introduced by Vollmer sought to strengthen efficiency by the police in a cost-effective way.[93] Vollmer's focus on bureaucratic structure, cost-efficiency, and clear lines of authority remains the hallmark of the Professional Model. Of course, this requires an organizational bureaucracy to fulfill essential functions in ways other organizational structures cannot.[94]

Rapid response to crimes and calls for service highlight the aim of efficiency intrinsic to the Professional Model. For the uniform patrol officer, responding to incidents, reporting on them, and then resuming random patrol to respond again consume much of their time. The public, conditioned with this style of policing, equates response time and patrol visibility with professional policing. There are examples in which the police can credit the prevention of crimes and saved lives with a rapid response time.

To some it may seem the Professional Model of policing is an effective model for crime prevention. However, a closer look reveals the model concentrates too much on reactive measures. A crime or incident must take place before the bureaucratic muscle can flex itself and respond accordingly. Since the goal today is prevention, the Professional Model is already at odds with achieving this objective. Organizations that

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90 Megalinks in Criminal Justice. "Police History Internet Resource," [http://realpolice.net/police-history.shtml]. November 2005.

91 Henry, *The COMPSTAT paradigm,* 81.

92 Megalinks in Criminal Justice. "Police History Internet Resource," [http://realpolice.net/police-history.shtml]. November 2005.

93 Henry, *The COMPSTAT paradigm,* 81.

94 Ibid., 89.

primarily adopt the Professional Model will find that, regardless of its application in patrol, investigation, or emergency management functions, the strategies will favor reaction

B.   COMMUNITY-POLICING

> Community-policing focuses on crime and social disorder through the delivery of police services that includes aspects of traditional law enforcement, as well as prevention, problem-solving, community engagement, and partnerships. The community-policing model balances reactive responses to calls for service with proactive problem-solving centered on the causes of crime and disorder. Community-policing requires police and citizens to join together as partners in the course of both identifying and effectively addressing these issues.[95]

Why would a car without license plates parked with its hood up in one neighborhood receive different treatment than a car parked comparably in a different neighborhood? In 1969, when Dr. Philip Zimbardo, a psychologist from Stanford University, conducted an experiment by parking a test car in the Bronx, New York, in a dilapidated neighborhood, it did not take long before the community turned the car upside down and outright destroyed it. When he conducted the same experiment in Palo Alto, California, he had different results. The community left the car alone. After Zimbardo vandalized the car himself, he found the community reacted differently to it parked on the street. Within a short time, the car met the same fate as the car he parked in the Bronx. Zimbardo had discovered that at the community level, crime and disorder are implicitly linked.

Zimbardo's experiment later became the genesis for the Broken Windows Theory developed by James Q. Wilson and George L. Kelling.[96] They believed that if a building owner left a window damaged it would not be long before the community shattered the rest of the building's windows. An unattended window would be merely an indication to the community that no one cares. The same holds true for other quality of life offenses such as graffiti, squeegee men, loiterers, turnstile jumpers, prostitutes, public drinking,

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95 U.S. Department of Justice. "Office of Community Oriented Policing Services."[http://www.cops.usdoj.gov/Default.asp?Item=36]. January 2006.

96 James Q. Wilson and George L. Kelling, "Broken Windows: The police and neighborhood safety," *Atlantic Monthly*, March 1982.

and urinating in public. They are all signs to the community that no one cares and essentially these seemingly insignificant conditions become precursors for an environment that breeds more serious and violent crimes. The Broken Windows Theory forms the lattice to which the Community-policing model attaches itself.

The Community-policing philosophy arrived in the late 1980s. It was born out of a response to the estranged relationship between the police and the public, and both the political and public pressure for improving such relations.[97] Perhaps the seemingly inexorable failure associated with the traditional Professional Model led police professionals to reevaluate crime reduction strategies. They deduced that focusing carefully on the quality of life issues of the community itself, apart from just responding to incidents of crime, could reduce crime and the fear of crime, eventually improving the quality of life for all community members. Reminiscent of the theories of Zimbardo, Wilson and Kelling, community policing took hold and emerged as the new trend in American policing.

Neighborhood watch groups, Drug Abuse Resistance Education officers, community meetings, community outreach officers, door-to-door visits, police storefronts, school resource officers, bike patrols, police newsletters, and amnesty gun buy-back programs are all examples of community-policing strategies. In these examples, the police become problem solvers, identifying the full range of problems experienced by community residents; working with community residents to develop strategies for addressing those problems; and bringing in the appropriate public and nonprofit agencies to implement those strategies.[98] Typically, officers assigned to community-policing programs do not respond to calls for service. Instead, they spend more time in community-based activities engaged in social work and problem solving, while their contemporaries respond to calls for service in the traditional sense. Much to the satisfaction of the community, police departments station these officers directly within problem areas instead of at traditional stations or precinct postings.

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[97] Henry, *The COMPSTAT paradigm,* 110.

[98] William M. Rohe, "Community Policing and Planning."
[http://www.planning.org/casey/pdf/rohe.pdf]. December 2005.

Of course, similar to the Professional Model, Community policing has its skeptics. While many people may think that Community policing is an effective policing strategy, the vision of Community policing generally failed to deliver what it promised – to reduce crime and fear of crime and to substantially improve the quality of life of its constituents.[99] According to the landmark report to the United States Congress, Community-policing strategies, specifically Neighborhood Watch, community meetings, door-to-door visits, police storefronts, and police newsletters have done little to reduce crime and are ineffective.[100] Regardless of the evidence, police leaders and the public have continued to articulate ways in which Community policing is a useful and beneficial tool.

C.   INTELLIGENCE-LED POLICING

> Intelligence-led policing involves the collection and analysis of information to produce an intelligence end-product designed to inform police decision-making at both the tactical and strategic levels. It is a model of policing in which intelligence serves as a guide to operations, rather than the reverse. It is innovative and, by some standards, even radical, but it is predicated on the notion that a principal task of the police is to prevent and detect crime rather than simply to react to it.[101]

The Audit Commission of Britain published a landmark report in 1993 stating that "a relatively small number of individuals account for a substantial proportion of detected crime. The deterrence or incapacitation of these individuals could therefore potentially make a substantial impact on the crime problem."[102] This report, titled "Helping With Enquiries – Tackling Crime Effectively," was commissioned to assess the impact of police operations on crime control. It has served as the foundation for intelligence-led policing.

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99 Henry, *The COMPSTAT paradigm,* 111.

100 Lawrence W. Sherman et al., *Preventing Crime: What works, what doesn't, what's promising. A report to the United States Congress* (Washington, D.C.: United States Department of Justice, 1996).

101 Royal Canadian Mounted Police. "Intelligence-led Policing: A Definition." [http://www.rcmp.ca/crimint/intelligence_e.htm]. November 2005.

102 Audit Commission, *Helping with Enquiries: Tackling Crime Effectively* (London: Audit Commission, 1993) 54.

At the time the Audit Commission's report was presented there was skepticism over how effective the police were at controlling crime using traditional police methods. These were methods involving the police responding to a crime during or after it happened, relying on witnesses and collecting evidence, arresting suspects, and then trying to elicit confessions from these suspects to support court convictions. A review of Britain's Home Office crime statistics at that time, by Barclay et al. (1993), revealed that of all recordable crimes committed there was only a 3 percent conviction rate in the courts.[103] The report questioned how the police were using their resources and suggested that they apply a greater effort toward targeting those individuals known to be responsible for crime.

Pursuing the "usual suspects" implies the police should dispense more resources aimed at producing intelligence by targeting known recidivist offenders compared with simply responding to the reports of crimes and then commencing investigations. The Audit Commission report went so far as stating, "The fundamental objective in recommending a clearer management framework, a review of resource levels and measures which make better use of resources, is to generate a capacity for proactive work which targets prolific and serious criminals."[104] The report transforms the traditional paradigm of reactionary policing by highlighting the need for proactive intelligence-led strategies. The mantra, "target the criminal, not just the crime," underscores the police need to focus less on the past offense and more on the current behavior of people thought to be involved in committing a substantial amount of crime. The value of intelligence-led policing is to make efficient use of resources while tackling crime control issues proactively.

In the above definition provided by the Royal Canadian Mounted Police, the following quotation is significant: "intelligence-led policing involves the collection and analysis of information to produce an intelligence end product designed to inform police decision-making at both the tactical and strategic levels."[105] It implies that for police

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103 Robert Heaton, "The Prospects for Intelligence-led Policing; Some Historical and Quantitative Considerations," *Policing and Society* 9, no. 4 (2000): 29.

104 Audit Commission, *Helping with Enquiries: Tackling Crime Effectively, 54.*

105 Royal Canadian Mounted Police, "Intelligence-led Policing: A Definition." [http://www.rcmp.ca/crimint/intelligence_e.htm]. November 2005.

organizations to engage in intelligence-led policing to increase crime control efforts and use resources more efficiently, they must first strengthen their own intelligence capacity. This is what the Audit Commission (1993) referred to as "generat[ing] a capacity for proactive work."[106]

Incorporating the view that intelligence is a structure, a process and a product, Ratcliffe (2003) illuminates what is required to advance intelligence-led policing.[107] A defined organizational structure supports a robust intelligence apparatus within police organizations. Personnel with the necessary skill levels and the authority to engage in and oversee intelligence operations make up the framework necessary for producing valuable intelligence. This calls for police organizations to erect their table of organizations in a way that facilitates intelligence exchange and influence over command decision-making. It mandates forming policies and protocols that fix intelligence, as a structure, to the core of an organization.

Planning and direction, collection, collation, analysis, reporting, and dissemination make up the unremitting process of intelligence. Throughout the process, commonly referred to as the intelligence cycle, participants evaluate information present at each stage of the cycle. Transforming raw data into intelligence demands that intelligence practitioners scrutinize and assess information against the backdrop of other data sets or intelligence documents. Dispensing information through this systematic process can result in a desired end-product useful for influencing strategic and tactical operations.

This final or finished intelligence product guides decision making at a range of levels in a police organization. These products come in various styles dependent on their intent or objective.[108] Estimative intelligence products focus on what might be or what might happen, and offer decision makers outcome-based strategies from which to choose when allocating resources for solving crime problems. Current intelligence products

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106 Royal Canadian Mounted Police, "Intelligence-led Policing: A Definition." [http://www.rcmp.ca/crimint/intelligence_e.htm]. November 2005.

107 Ratcliffe, "Intelligence-led Policing."

108 Central Intelligence Agency (Office of Public Affairs), *A Consumer's Guide to Intelligence* (Washington, DC: Central Intelligence Agency, 1999), 4.

speak to daily, weekly, or monthly events in a way that notifies decision makers of significant events that affect investigative or enforcement operations. Warning intelligence products alert and caution decision makers about issues or events that need an immediate response often entailing the pre-positioning of operational forces. Lastly, research intelligence products provide operational support for enforcement or investigative entities by incorporating all of the above intelligence products.

At its core, the intelligence cycle is the underpinning of intelligence-led policing. The process yields products enabling decision makers to advance sound strategies essential for improving the resource allocation process. For those who adopt it, the strategic nature of intelligence-led policing transforms police organizations into proactive entities capable of targeting the "criminal" as compared to simply responding to a "crime." The practice, considered revolutionary by some, is in direct contrast with traditional reactionary policing approaches.

<div align="center">***</div>

The criminal environment is a multidimensional arena consisting of a variety of criminals. In some jurisdictions, it includes violent street gang offenders; for others, it is primarily burglars or car thieves. For still others, Internet predators or transnational criminals involved in the drug trade or jewel theft make up the criminal environment. Additionally, under today's present situation, terrorists potentially also occupy the criminal realm across the nation seeking to destroy critical infrastructure sites or to carry out another major attack. Significantly, the criminal environment is the place that both nurtures and sustains criminality. Regardless, two things are distinct about the criminal environment. For one, it exists and second, it is hoped that it can be changed and influenced by police strategies.

The criminal environments that will exist within the Homeland Security Era are sure to present unique challenges to state policing institutions. Effecting change in this period will call for selecting policing strategies that dedicate resources toward crime problems considered vital to the community as a whole. The policing philosophies

discussed previously broadly represent the policy options from which state police organizations will have to choose from as they go forward. In forthcoming chapters, the research will discuss the primary issues needed for consideration when choosing a viable policing strategy for state police organizations to follow in the Homeland Security Era.

VI. PROJECTING THE OUTCOMES

Today's literature universally reports that the attacks of September 11, 2001 were a wake-up call for law enforcement relative to the danger of terrorism occurring within the United States. In the hours, weeks, and months following the attacks, police organizations nationwide scrambled to muster enough resources in response to this new threat to the homeland. Often, force deployments became more a reaction to the undulations of the day, made more prominent by national color charts forecasting the perceived danger levels present in the United States at any given time. It did not take long before two issues resonated with police practitioners and policy makers operating in this new environment. First, traditional policing strategies were not holding up to the stressors involved in advancing Homeland Security. Second, state law enforcement organizations would have to allocate significant resources to ensure operational capabilities were maintained in this new milieu. This chapter will analyze the alternatives constructed for managing state police operations in the Homeland Security venue against the backdrop of evaluative criteria discussed in an earlier chapter.
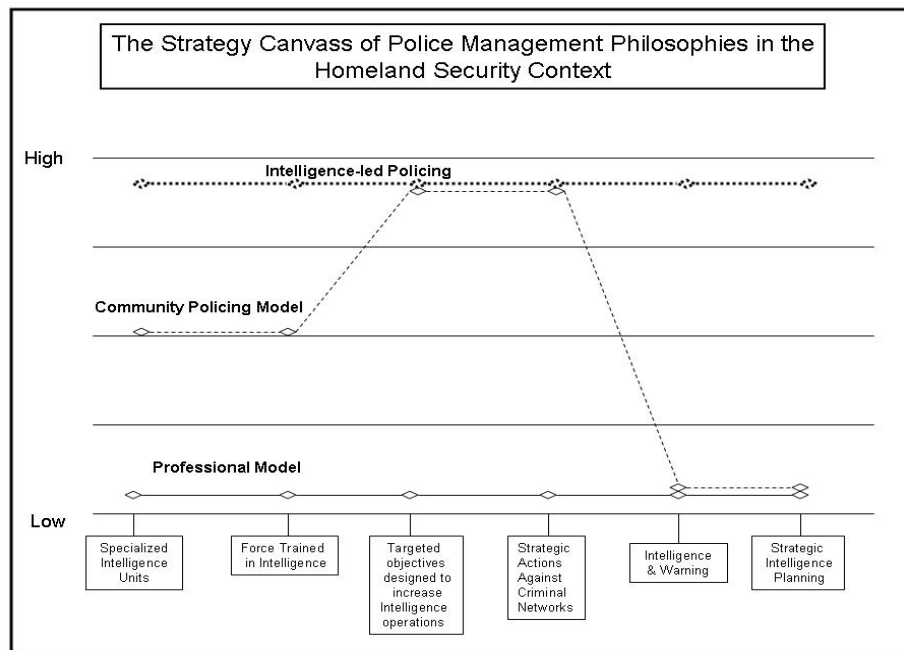

Figure 4.   Strategy Canvass

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In *Blue Ocean Strategy: How to Create Uncontested Market Space and Make the Competition Irrelevant,* Kim and Mauborgne (2004) discuss using a strategy canvass as an analytical tool for capturing the state of play in a market.[109] For state police organizations, the domain of Homeland Security represents a market in which they need to navigate. The strategy canvass offers analysts the opportunity for understanding how well strategies will do rooted in factors inherent to that particular market. In referring to Figure 4, this strategy canvass captures the evaluative criteria this research has considered as essentials for effective policing in the Homeland Security Era.

The horizontal axis on the above strategy canvass captures six primary factors considered fundamental for policing the homeland:

- Specialized intelligence units
- A police force trained in intelligence
- Target objectives designed to increase intelligence operations
- Strategic actions against criminal networks
- Intelligence and warning
- Strategic intelligence planning

The vertical axis of the strategy canvass captures the degree at which the particular policing philosophy supports each of the primary factors listed above. The process for plotting a philosophy relative to each of the primary factors was intuitive. A high score would mean the referenced philosophy provides a greater capacity to support each of the listed factors. For instance, in the case of Strategic Intelligence Planning, a higher score signifies the philosophy would sustain this vital activity more so than one with a lower score based on the principles of the philosophy itself.

Figure 4 displays that intelligence-led policing is likely to support those listed values considered fundamental to a state police organization engaged in policing the homeland. Intelligence-led policing scored high in each of the six primary factors, whereas community-policing and the professional model of policing did not fare as well.

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[109] W. Chan Kim and Renee Mauborgne, *Blue Ocean Strategy: How to create uncontested market space and make the competition irrelevant* (Boston, Massachusetts: Harvard Business School Publishing Corporation, 2005), 25.

The answer for this occurrence is rudimentary. Simply put, the factors listed above are by nature strategic and involve intelligence operations. Intelligence-led policing lends itself to a strategic process that involves intelligence operations.
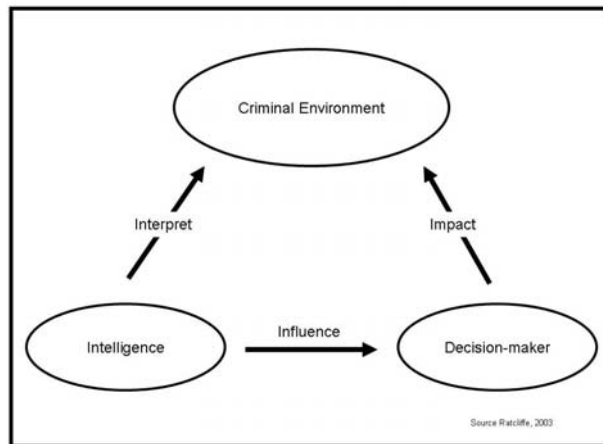
Figure 5.   Three-i model of intelligence-led policing.
(From: J.H. Ratcliffe, "Intelligence-Led Policing," *Trends and Issues in Crime and Criminal Justice* 248 [2003], 3.)

Ratcliffe (2003) has simplified an otherwise complex process of intelligence-led policing through the depiction of his three-i (interpret, influence, and impact) model.[110] Figure 5 describes how these processes culminate into a strategic action. Ratcliffe explains that the intelligence apparatus of a police organization is responsible for proactively interpreting the criminal environment for which it has jurisdiction.[111] The intelligence apparatus achieves this through informants, surveillances, and undercover and intelligence operations for which analysts can then assess the information gleaned from these activities. Once this process occurs, it is then the responsibility of the analysts to construct an image of the criminal environment and convey that picture to decision-makers.[112] To influence decision-makers, the picture the analysts present should include recommendations that explore avenues for crime prevention and reduction operations.[113]

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[110] Ratcliffe, "Intelligence-led Policing."

[111] J. H. Ratcliffe, *Hard Lessons Won: Intelligence-led Policing and How Intelligence Drives the U.S. Operations in the Military,* Seminar, Hamilton, New Jersey, November 2005.

[112] Ratcliffe, *Strategic Thinking in Criminal Intelligence,* 9.

[113] Ibid.

The decision-maker is then ultimately responsible for advancing this strategic cycle that once started with the decision-maker directing the intelligence apparatus to interpret the environment for which the decision-maker must now impact on guided by the recommendations of analysts.

For state police organizations functioning in the Homeland Security milieu, the criminal environment is expansive, covering multiple jurisdictions and assorted threats. Tackling crime problems associated with Homeland Security requires state police organizations to think strategically. Limited by a finite resources, state police organizations solving these latest problems have a duty to assign their assets broadly. The state police can only carry this out through strategic planning that allocates assets in a systematic manner. Reactionary practices of the past, often the mainstay and strength of state police organizations, and best seen in their timely response to civil disorders or natural disasters, can easily squander assets that would be better focused toward issues that represent the greatest threat or risk. Intelligence-led policing provides state police organizations with an organizational mindset that encourages decision-makers to allocate resources based on intelligence reflective of the criminal environment and strategic planning initiatives.

Policy Options Matrix	Operational Readiness				Intelligence & Warning	Strategic Intelligence Planning
	Specialized Intelligence Units	A Police Force Trained in Intelligence	Targeted Objectives Designed to Increase Intelligence Operations	Strategic Actions Against Criminal Networks		
Professional Model	Low	Low	Low	Low	Low	Low
Community Policing	Med	Med	High	High	Low	Low
Intelligence-led Policing	High	High	High	High	High	High

Table 2.   Policy Options Matrix

Table 2 represents an outcome matrix that displays the expected outcomes from each of the alternative solutions assembled in Chapter V with respect to the evaluative criteria for policing the homeland discussed in Chapter IV. The culmination of several independent elements resulted in the production of this heuristic method. A review of the existing literature pertaining to the primary policing philosophies provided a basis for the analysis revealed in the matrix. In addition, the conceptual underpinnings of each philosophy provide the hypothetical suppositions of whether they could sustain the Homeland Security initiatives. Moreover, the author's practitioner experience in policing and intelligence served as a barometer for measuring the effectiveness of the policing philosophies under the backdrop of the listed evaluative criteria. In New Jersey, there are over 550 police departments in which the author has either direct or indirect knowledge of their policing philosophies. These experiences enable the author to heuristically assess the specific policing philosophies. Additionally, as the matrix demonstrates and a review of the literature support, the use of intelligence as a law enforcement tool was not envisioned by the proponents of those models. In fairness, however, those models were adopted in response to the crimes usually contained in the Uniform Crime Report, which often became the barometer on which the success of those models was gauged. Changes in the crime rate were usually how outcomes were assessed. Conversely, in the post-9/11 environment, intelligence-led policing, which is both applicable to crime rates and enjoys larger utility in an "all hazards all crimes" approach, is a better fit.

It is obvious from the matrix that the traditional Professional Model of policing, which so many state police organizations are accustomed to using today, is not capable of supporting the primary factors essential for policing in the new Homeland Security Era. The Professional Model, by nature, is reactionary, grounded in a timely response to provide the best service to the public. It is event driven, relying on a police officer to respond initially, followed-up by thorough investigations. It places emphasis on collecting evidence after an incident, as opposed to producing awareness before a crime or event takes place. Any efforts made towards intelligence collection or even training in intelligence are secondary, as the police, under this paradigm, aim their attention mainly

at information generated during or after a crime or event occurs. Regrettably, as was the case on September 11, in the Homeland Security Era, responding to attacks or events that are already in motion is a losing proposition.

The events of September 11, 2001, exposed the shortcomings of the Professional Model of policing for defending against threats to the nation's Homeland Security to police managers across the country. Although the authors intended for *The 9/11 Commission Report* to bring to light the alleged disconnects and silos within the Federal government that prevented information sharing, that same message is equally as valid to state police organizations saddled with defending the homeland. State police must consider new strategies and they must reorganize themselves to provide unity of effort for both information and intelligence sharing.

According to the Bureau of Justice Statistics' webpage, "as of June 30, 2000, two-thirds of all local police departments and 62% of sheriffs' offices had full-time sworn personnel engaged in community-policing activities. Local police departments had an estimated 102,598 full-time sworn personnel serving as community-policing officers or otherwise regularly engaged in community-policing activities, and sheriffs' offices had 16,545 full-time sworn so assigned."[114] Similar figures were not available for state police organizations that engaged in community-policing activities. Yet, prior to the advent of Homeland Security, the COPS grant mentioned earlier provided federal monies to support community-policing efforts. In all probability, most of all state police organizations took advantage of this grant and organized community-policing initiatives subsidized by federal grant funds.

As with the Professional Model of policing, the events of September 11, 2001, have also proved the community-policing model to be ineffective against terrorists. For years prior to the attacks, police agencies across the nation embraced community-policing, strengthening the bonds between the community and themselves. Yet, regardless of the vigor involved with these ties, they did little to alert authorities to the devastation that 19 young men would soon bring to America. Counter-terrorism professionals attribute this to the tradecraft employed by skilled operatives. Khalid

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114 Bureau of Justice Statistics, "Law Enforcement Statistics," [http://www.ojp.usdoj.gov/bjs/lawenf.htm], January. 2006.

Shaikh Mohammed (KSM), the architect behind the 9/11 attacks on the United States, was a key al-Qaeda lieutenant. He arranged the mission that sent hijacked commercial airlines slamming into the World Trade Center, the Pentagon, and a field in Shanksville, Pennsylvania. KSM had instructed the 19 terrorists to keep away from mosques and to avoid establishing personal relationships.[115] KSM designed these orders to protect the mission from compromise. Reviews of the United States travel timeline for all 19 terrorists clearly depict the terrorists steering clear from diasporic communities or Arabic enclaves as they hop scotched the country.[116] In fact, with the exception of certain instances, the hijackers resided in hotels or motels in the cities they visited. The length of their stays was relatively short before moving on to the next hotel. History has demonstrated that community-policing by nature, which looks to establish community bonds, was unable to ferret out the terrorists. Al Qaeda tradecraft prevented those same relationships that police rely on for crime prevention under the community-policing paradigm from making a difference.

The design of community-policing, however, is by nature proactive and involves problem solving. Table 2 delineates the community-policing paradigm as scoring high in problem solving by supporting "Targeted Objectives Designed to Increase Intelligence Operations" and "Strategic Actions Against Criminal Networks." While this is accurate, it warrants a further nuanced explanation. Community-policing specialists expend a significant amount of time brokering relationships within the community to develop information useful for crime reduction and preventing strategies. In that respect, community-policing does support objectives aimed at increasing intelligence, regardless if the information is generated before, during, or after an event. In all likelihood, this was the case when Mayor Rudolph Giuliani eradicated organized crime from the Fulton Fish Market, with the assistance of community-policing measures that supported strategic actions against criminal networks. Working with New York City's range of departments, city businesses, and by "amending the administrative code of the city of New York, in

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115 *9/11 Commission Report*, 216.

116 Paul Thompson, "Complete 911 Timeline," [http://www.cooperativeresearch.org/timeline.jsp?timeline=complete_911_timeline]. January 2006.

relation to the regulation of the Fulton Fish Market distribution area and other seafood distribution areas," the Giuliani Administration released the market from the stranglehold of organized crime.[117]

Referring to Table 2 again, the Community-policing paradigm scored a medium in supporting the factors of "Specialized Intelligence Units" and "A Police Force Trained in Intelligence." This too warrants further explanation. Some researchers associate community-policing as the foundation for developing the skills necessary for supporting intelligence operations. Dr. David Carter (2004) of the University of Michigan has noted that, over the past decade, thousands of specially trained community-policing officers have built productive relationships with citizens, which in turn have provided unfettered access to neighborhood information as it developed.[118] In effect, Carter has successfully argued that community-policing initiatives can promote training in intelligence and its application among specialized units.

Similar to plotting the strategy canvass for police management philosophies, entering factor scores in the outcomes matrix is also an intuitive process. The last two factors, "Intelligence and Warning" and "Strategic Intelligence Planning," and the scores they received in the community-policing row (see Table 2) shed light on this intuitive process. There are no data that suggest police organizations applying the community-policing ideology cannot bear these two processes; however, on the practical side, in order to implement an intelligence and warning practice, as well as a strategic intelligence planning process, a police organization must develop a sophisticated intelligence apparatus that drives the intelligence process and intelligence requirements. Police organizations achieving this level of intelligence development will essentially transform themselves into an intelligence-led organization, supporting the notion they are practicing intelligence-led policing.

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[117] Marissa L. Morelle, *"Something Smells Fishy": The Giuliani Administration's Effort to Rid the Commercial Trade Waste Collection Industry of Organized Crime* (New York. The Laborers Network, 1998), 11.

[118] David Carter, *Law Enforcement Intelligence: A Guide for State, Local, and Tribal Law Enforcement Agencies.* (Washington, D.C.: U.S. Department of Justice Office of Community Oriented Policing Services, 2004), 40.

VII. ASSESSING THE OPTIONS AND MAKING A RECOMMENDATION FOR STATE POLICE ORGANIZATIONS

The central theme of the 9-11 Commission Report criticized government agencies for failing to impose the necessary organizational changes that could have prevented the disastrous events of 9-11. In effect, government agencies before September 11, the report claimed, instead of responding to the growing threat of terrorism and advancing overdue organizational change, opted to rely on legacy systems to face the present-day threats. Post September 11, the message is clear: government organizations must rethink the way in which they do business. For state police executives who accept that organizational change is compulsory the challenge is to recognize which is the best plan to follow. The previous chapters outlined three distinct policing managerial philosophies, each one representing an agenda for change that state police organizations can adopt when deciding how to police the homeland. This chapter will analyze the trade-offs between each of the outcomes articulated previously and then make a recommendation to state police executives on which course of action to choose.

Despite the course of action selected by police executives, vestiges of former managerial philosophies will always be present. For instance, state police organizations that may choose intelligence-led policing as a guiding philosophy will continually use constituent portions of the Professional Model of policing. This corollary is not necessarily negative. Henry (2003) recognizes this phenomenon when he speaks about "the gradual dialectical process of reconciling different ideas and practices that result in organizations adopting policies and practices of a new philosophy while continuing some practices and policies of older philosophies."[119] The outcome is usually a blending of constructive components of existing philosophies into the newer one resulting in the application of a more robust policing philosophy overall.

Chapter III summarizes the increased responsibilities that state police organizations nationwide are enduring since the advent of Homeland Security. Assessing each of the respective policing options against one another for their applicability in

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[119] Henry, *The COMPSTAT paradigm,* 73.

today's milieu, one must consider how policing has changed since September 11. For state police organizations that have widespread jurisdictional authority, not only in geography but also in function, it is not unforeseen that on any given day commanders are challenged by how best to earmark their resources. In an interview with the author on January 20, 2006, Colonel Joseph Fuentes of the New Jersey State Police highlighted this salient point. "In New Jersey," he proclaimed, "the constant need to exercise for the possibility of multi-event crises is often preempted by their occurrence." He was referring to those taxing instances that demand allocating varied resources en masse toward the latest al Qaeda threat alert, an approaching hurricane, rising floodwaters, and a street gang bent on attacking police officers. Suppressing these multi-event crises requires processes designed to assign resources in a diverse, dynamic, and rapidly changing environment.

A.   PROFESSIONAL MODEL OF POLICING

There are benefits for state police organizations that continue the use of the Professional Model as their principal style for policing. For one, state police organizations are familiar with this type of policing, having practiced it for countless years. Since there are no changes to the status quo, continuing the practice of the Professional Model does not require organizational change that may upset the organizational harmony. There are many advantageous and worthwhile characteristics to the Professional Model that include greater efficiency, greater control and accountability of personnel, greater cost-effectiveness, and a greater value placed on technology to aid with fighting crime.[120]

Conversely, there are also disadvantages in adopting the Professional Model in the Homeland Security Era. This style of policing is highly reactive, focusing its resources mainly on a timely response for calls for service or reports of a crime rather than towards intelligence needed for interpreting the criminal environment. It is also laden with bureaucracy concerned more with the function of processes than outcomes. In

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[120] Henry, *The COMPSTAT paradigm*, 75.

principle, the Professional Model foregoes strategic planning – a critical principle for advancing Homeland Security – for a more intransigent posture. Together, these elements contradict the Professional Model's relevance for policing in the Homeland Security Era.

B.   COMMUNITY-POLICING

Community-policing principles center on the social bonds between police and citizens. It is these principles that Docobo (2005) contends can help the police to prepare for and prevent terrorist acts: "Community-policing helps to build trust between the community and law enforcement, which allows officers to develop knowledge of the community and resident activity and can provide vital intelligence relating to potential terrorist actions. Local law enforcement can facilitate information gathering among ethnic or religious community groups with whom police have established a relationship."[121] All police organizations, despite their level in government, strive for achieving a union with the community they police. Focusing on the relationship building with the community is a chief proponent for advancing community-policing as the central modality for policing in the Homeland Security Era.

However, for state police organizations, the community-policing doctrine as a central policing philosophy has many shortcomings that preclude its being the primary strategic option. First, state police by nature are multi-jurisdictional, employing varied requirements responsible for wide-ranging communities not limited to geography. Second, retrofitting the community-policing philosophy into state police organizations has been an awkward task. Its application in a state's rural areas, where the state police have primary policing authority, has been straightforward. However, in the urban areas where the state police do not have this authority, imposing community-policing is not an alternative.

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121 J. Docobo, "Community-policing as the Primary Prevention Strategy for Homeland Security at the Local Law Enforcement Level," *Homeland Security Affairs* I, no. 1 (2005): 2.

Docobo (2005) speaks to developing community partnerships to identify terrorist threats against the United States.[122] However, the bonds that he relies on for identifying these threats may not actually be capable of infiltration or even gaining access to the secret societies or the underworld, which the terrorist cell occupies. International terrorist groups operating in the United States prefer to remain covert, limiting their interaction with only those considered essential for carrying out their mission. This was the case during the 2001 terror plot against the World Trade Center and Pentagon, dubbed the "Planes Operation" by al-Qaeda.[123] The hijackers, preferred living amongst themselves moving from motel to motel to guard against unwanted exposure. In the end, community-policing efforts in place at the time when al-Qaeda operatives traversed the country did little for the state and local police in terms of uncovering this conspiracy; a conspiracy which led to the deaths of thousands of Americans. Lastly, in the context of state police responsibilities, the community-policing model is inadequate for sustaining a system capable of assigning various resources to the ever-changing threat that exists in the Homeland Security environment.

C.   INTELLIGENCE-LED POLICING

The surprise attacks of September 11, have in effect, served two overarching purposes for state police organizations. They underscored the significance of the need for police organizations to apply intelligence as an active defense measure, and more importantly, called attention to the need for state police organizations to engender an organizational capacity for planning, collecting, processing, and sharing intelligence. Intelligence-led policing affords state police organizations with the proper context for achieving these two purposes. The central theme of intelligence-led policing – interpreting the environment through the intelligence process and then influencing decision-makers to act on that environment through finished intelligence products –

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122 J. Docobo, "Community-policing as the Primary Prevention Strategy for Homeland Security at the Local Law Enforcement Level," *Homeland Security Affairs* I, no. 1 (2005): 2.

123 *9/11 Commission Report*, 152.

generates a framework useful for state police organizations that face the multidimensional world of advancing Homeland Security and yet, at the same time, must respond to traditional forms of crime.

Alternatively, integrating the principles of intelligence-led policing into otherwise traditional state police organizations is a difficult endeavor. State police organizations, the epitome of command and control organizational structures, are by nature resistant to efforts to transform them. The intelligence-led policing model mandates definitive structures and processes that are in direct contrast with traditional reactive policing philosophies. The success of intelligence-led policing relies on instituting these wholesale changes; without them, any effort to retrofit intelligence in organizational decision-making will be ineffectual and waste valuable resources. For state police organizations, the process of transforming a traditional reactive policing organization into a proactive strategic entity is complicated, and not appropriate for less than fully dedicated organizations.

<p style="text-align:center">***</p>

Policing in the Homeland Security Era requires state police organizations that are responsible for a host of Homeland Security obligations, to integrate the proactive principles of intelligence to identify problems and then allocate their finite resources to address those problems both effectively and efficiently. Of the three options provided, only intelligence-led policing affords state police organizations with a system for strategically allocating resources based on the needs of the multi-jurisdictional environment for which the state police are responsible.

Intelligence-led policing systems incorporate proactive techniques that include strategic planning, surveillance operations, informant development, exploitation of non-traditional information sources, undercover operations, preventive force deployments, and targeted enforcement operations. The intelligence-led policing model, although strategic and long-term in temperament, anchors itself directly to the fluid criminal and Homeland Security environment. Through various listening posts, represented by informants, intelligence centers, and strategic community partnerships, command decision-makers can allocate resources appropriately to the Homeland Security threat of

the day. Where community-policing models aim to be highly visible and general, intelligence-led policing strategies endeavor to remain covert and particular in their application of resources.

Transforming a traditional reactive state police organization into a proactive strategic intelligence-led organizational entity will be a difficult but critical endeavor. It is to be expected that personnel from organizations that endure such changes will resist efforts to change, but the need for this transformation is far too great not to try. State police organizations have a vital duty to the states for which they police. This duty now extends outside crime control and into the realm of Homeland Security and requires new strategies, new systems, and new policies. Intelligence-led policing offers state police organizations a robust method for deploying resources strategically against all the hazards of the day.

VIII. ORGANIZATIONAL CHANGE AND INTELLIGENCE-LED POLICING IN THE NEW JERSEY STATE POLICE: A CASE STUDY

Homeland Security is high on the national agenda. As pointed out in earlier chapters, the concept directly affects the way police organizations advance their missions. With the exception of large urban area police departments, the new practice of Homeland Security has hit state police organizations from across the nation the hardest. The Council of State Governments and Eastern Kentucky University's (2005), *The Impact of Terrorism on State Law Enforcement* illustrates the enormity of Homeland Security on state law enforcement in their 50-state survey of state and local law enforcement agencies.[124] The impact, as seen in new responsibilities and new undertakings, has changed the way these organizations function. In addition, some have relinquished older styles of policing for more innovative practices as a means for confronting the challenges present in the Homeland Security milieu.

Consequently, the NJSP, in recognizing the enormity of providing a blanket of Homeland Security to its constituents, has undertaken several strategic initiatives designed to ready it for the demands that will certainly continue. One enterprise has been the reorganization of its Investigations Branch to sustain the structures and processes involved with the paradigm of intelligence-led policing. This case study will provide an overview of the organizational changes and processes the NJSP has implemented to support intelligence-led policing.

This researcher directly observed the mechanics of how the NJSP reorganized its Investigations Branch to become intelligence-led. The researcher was able to record and analyze this phenomenon as it occurred, as well as aid a key NJSP policymaker whose responsibility it was to implement the shift to intelligence-led policing. This afforded the researcher the opportunity to fully understand the thought processes as intelligence-led policing evolved in the NJSP; something usually not accessible in similar studies. The work that follows is a direct result of that participant observation.

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124 The Council of State Governments, *Impact of Terrorism*.

A. THE BACKGROUND OF THE NJSP

The unified structure of NJSP is quite remarkable in that it performs patrol, traffic, criminal investigative, technical services, and emergency management responsibilities within a state that boasts a population that hovers somewhere around 8.5 million. It is comprised of well over 4,500 personnel, enlisted and civilian, spread across four distinct Branches: Administration, Investigations, Operations, and Homeland Security (see Figure 6). Although the uniformed trooper patrolling the interstates and the rural byways remains the backbone of this organization, he or she accounts for only 1/3 of the organization's force. The larger majority of troopers is assigned to the additional responsibilities as discussed above.
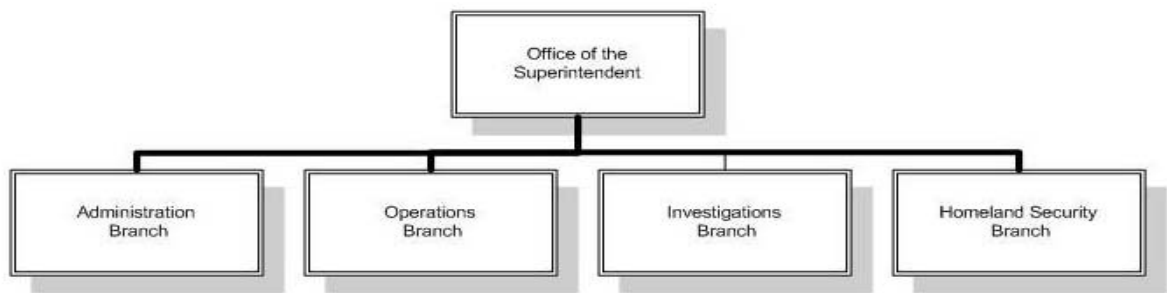
Figure 6.   NJSP Command Structure
(From: NJSP Investigations Branch Reorganization Working Group [2005])

In the aftermath of September 11, the operational responsibilities of the NJSP exponentially increased. In addition to assisting the Federal Bureau of Investigation (FBI) with the investigation into the terror attacks requiring a significant commitment of investigative capital, the NJSP supplied the Port Authority Police Department of New York and New Jersey (PAPD) with large contingents of personnel. The PAPD that lost 37 of its officers on September 11, required assistance patrolling the ports, bridges, tunnels, and airports under their authority. In addition, New Jersey Transit, the Delaware River Joint Toll Bridge Commission, and the Delaware River & Bay Authority also called upon the NJSP for assistance with security of their own critical infrastructure. As the Homeland Security operational responsibilities increased, the NJSP continued to

respond to calls for service, gather intelligence on criminal threats, conduct traditional, organized, and high-tech criminal investigations, provide specialized investigative support and forensic assets, supply support for the state's law enforcement information and technology network, enforce commercial motor vehicle laws, provide investigative support and security for sporting and special events, investigate crimes occurring within the Atlantic City casinos, and protect the state house governmental buildings and dignitaries.

Faced with the challenges brought on by the notion of providing Homeland Security, the NJSP opted to reengineer its organizational framework to better plan and manage its resource allocations in respect to its operational responsibilities. First, a Homeland Security Branch was constructed and configured around the organization's duty to mobilize for threats to Homeland Security including large-scale emergencies and disasters. The NJSP reconfigured those assets, which were associated with the response and mitigation side of Homeland Security. Many of these entities were positioned arbitrarily throughout the organization and instead required an arrangement that focused reporting under a single command responsible for Homeland Security. Much of what occurred in this reconfiguration centered on capabilities-based planning, allowing the organization to heighten its efficacy when responding to the amorphous threats related to Homeland Security.

With the Homeland Security Branch formed, the NJSP could now focus on transforming its Investigations Branch from one mired in traditional policing practices to one capable of confronting the investigative challenges brought on by Homeland Security. This responsibility lay squarely on the shoulders of the Deputy Superintendent of Investigations who had command over the Investigations Branch. In April 2005, it became his duty to institute an agenda for change in order to divorce the Investigations Branch from the institutional-stasis in which it found itself. The Deputy Superintendent recognized that intelligence-led policing was the most advantageous style of policing for the new Investigations Branch to adopt. What follows is a description of the organizational changes made to the Investigations Branch in response to the implementation of the favored policy option of intelligence-led policing.

B.   WHY CHANGE?

The mission of the Investigations Branch has always been to protect New Jersey from organized crime, terrorism, violent criminals, and illegal activity. Its mandate required employing pro-active investigative measures and the most sophisticated forensic science techniques to gather evidence, document illegal activity, and arrest those responsible for crime. Over the years, practitioners and commanders alike considered the Investigations Branch to be an effective and efficient investigative entity capable of combating various traditional crime problems. Yet, owing to the tragedy of September 11, the landscape in which the Investigations Branch operated had changed. The doctrine promulgated by the Federal government – through documents like *The 9/11 Commission Report* and the *National Strategy for Homeland Security* - about Homeland Security practices required that police organizations spend more effort promoting and managing the exchange of intelligence both internally and externally. No longer could police organizations fail to recognize the importance of intelligence in managing police operations or its value in ferreting out suspicious activity linked to crime or terrorism in the new environment. As revealed in the aftermath of September 11, the stakes are just too high.
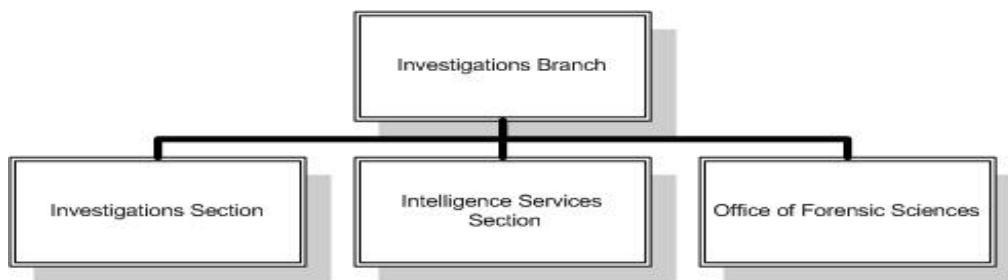
Figure 7.   Investigations Branch as of April 2005
(From: NJSP Investigations Branch Reorganization Working Group [2005])

Intelligence is a vital tool in counter-terrorism and crime control. However, it is only practical when allowed to influence decision-making. In April 2005, the organizational structure of the Investigations Branch prevented this. The Investigations Branch contained three separate and distinct sections; the Investigations Section, Intelligence Services Section, and the Office of Forensic Sciences (see Figure 7). Each

section contained their own bureaus, which contained individual units. This structure lent itself to a host of architectural issues that impeded intelligence exchange and ultimately nullified the influence, both internally and externally that is so critical for intelligence-led policing, counter-terrorism and crime control initiatives within an organization. The decentralized structure, which preferred a functional focus rather a geographic one, produced stovepipes within the organization, separating investigative specialties from one another.[125] What resulted was a silo effect scattered throughout the Investigations Branch where the efforts of one element did not adequately draw upon or share resources with another's, regrettably creating esoteric units in direct competition with one another.[126] These disconnects affected the Investigations Branch's ability to perform at its fullest capacity. The consequence for this alignment was the inability for intelligence to influence decision-making at the strategic and tactical levels, the inability to properly allocate personnel and resources, and the inability to plan for future crime problems and catastrophes.

Interestingly enough, testimony before the *9/11 Commission* from Attorney General John Ashcroft, former Attorney General Janet Reno, and former FBI Director Louis Freeh shed light on the legal barriers that precluded information sharing between law enforcement and intelligence-gathering officials.[127] Some of what these distinguished officials spoke to was the way in which operations took place among the FBI Joint Terrorism Task Forces (JTTF). Information gleaned from intelligence gathering operations, sanctioned under National Security guidelines, could not be commingled with

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[125] Note: The focus on function was a predominant attribute to the units that proactively investigated organized criminal activities that included street gangs, traditional and non-traditional organized crime, narcotics, and intelligence operations.

[126] Note: This organizational phenomenon is not restricted to the NJSP or for that matter, to police organizations. It is instead a byproduct of decentralized bureaucracies. James Surowiecki refers to private industry to illustrate this important point: "The classic example of this was Enron, in which each division was run as a separate island, and each had its own separate cadre of top executives…The important thing for employees to keep in mind is that they are working for the company, not for their division. Again, Enron took exactly the opposite tack, emphasizing competition between divisions and encouraging people to steal talent, resources, and even equipment from their supposed corporate comrades. This was reminiscent of the bad old days of companies like GM, where the rivalries between different departments were often stronger than those between the companies and their outside competitors." James Surowiecki, *The Wisdom of Crowds* (New York: Anchor Books, 2005), 214.

[127] Note: The audio version of *The 9/11 Commission Report* contains public testimony by Attorney General John Ashcroft, former Attorney General Janet Reno, and former FBI Director Louis Freeh held before the commission on April 13, 2004.

criminal investigations. Essentially, it would take two JTTF members to further a terrorism investigation. One would focus on the intelligence aspect, the other the criminal investigative component if the opportunity arose, "never the two shall meet." Fortunately, the USA PATRIOT Act tore down the infamous "wall" that many believe impeded the "unity of effort" for drawing on all the relevant sources of information needed to defeat terrorism. For the NJSP Investigations Branch, there too was a "wall" that existed and prevented information and intelligence sharing.

On the federal level, it was legislative rulings that created this notorious barrier and hampered information sharing. Conversely, within the NJSP Investigations Branch, it was human resistance to sharing information, not legal precedence that best explained the formation of the "wall" erected between the Investigations Section and the Intelligence Services Section. *The 9/11 Commission Report,* in its chapter detailing how to organize government toward a unity of effort in sharing information, revealed that human resistance to information sharing as the biggest impediment for connecting the proverbial dots needed to defeat groups determined to bring harm to the United States. For the Deputy Superintendent of Investigations, convinced that intelligence-led policing would be the preferred paradigm for policing in the Homeland Security Era, he recognized the immutable purpose of tearing down this "wall."

C.   STRATEGIC INTERVENTIONS

Transforming the NJSP Investigations Branch from a traditional investigative entity into a robust intelligence-led apparatus would require significant changes to its current organizational architecture and culture. Advancing this change entailed five strategic interventions that included removing architectural barriers, adopting the processes intrinsic to an intelligence-led policing philosophy, creating a "Fusion Center," retooling the distribution and management of its Statewide Intelligence Management System, and adopting a regional accountability plan for managing intelligence and enforcement operations related to organized criminal activities.

1. Removing Architectural Barriers

To address the first strategic intervention, the Investigations Branch significantly modified its organizational structure. The former Investigations Section and Intelligence Services Section would drastically reconfigure their resources to become the new Special Investigations Section and the new Intelligence Section. With the exception of minor modifications, the Office of Forensic Science remained unchanged by the reorganization.

The newly formed Special Investigations Section (See Figure 8) would now consist of investigative units to provide statewide service related to highly specialized computer, forensic, violent crime, and compliance review investigations. The NJSP command also placed the Casino Gaming Bureau, responsible for crimes against the casino industry and its patrons in Atlantic City, under the command of the Special Investigations Section. With limited exception, the focus of the newly formatted Special Investigations Section was to be event driven or reactive in nature.
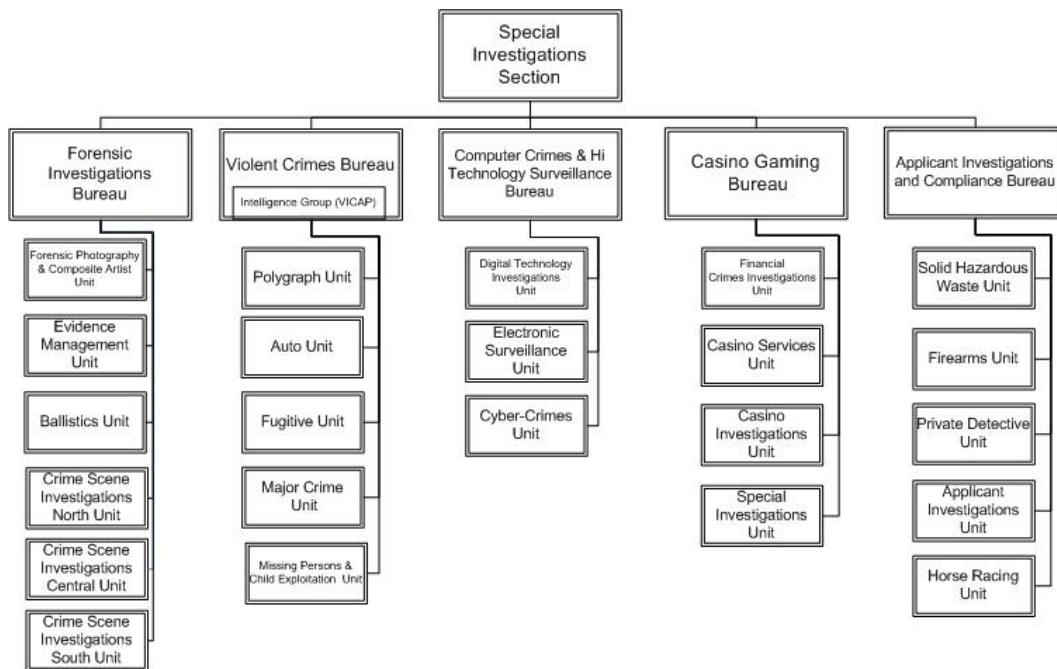

Figure 8.   Newly Formed Special Investigations Section
(From: NJSP Investigations Branch Reorganization Working Group [2005])

Conversely, the newly arranged Intelligence Section (Figure 9) was to be proactive in nature, designed to target criminal conspiracies responsible for traditional and non-traditional organized crime, drug trafficking, street gang activity, and suspected terrorist activity through progressive intelligence operations. The NJSP devised this new framework to support cross directional intelligence and information exchange to better influence command decision-making. Under the previous arrangement, the former Intelligence Bureau was responsible for intelligence collection only. This resulted in two negative outcomes for the Investigations Branch. First, it provided others in the Branch, regardless of their focus on proactive investigations with a reason not to engage in collecting crime intelligence. For those not assigned to this function, having a dedicated group of intelligence units somehow translated into, "intelligence is not my job." In addition, with the intelligence collection function relegated to a single bureau, the organizational structure essentially created a silo that prevented the free flow of intelligence.

Additionally, the former Intelligence Section buried its analytical function deep within its table of organization. The positioning of the former Analytic Support Unit and Training/Analytical Unit within this bureaucratic morass prevented analysts from exerting necessary influence over command decision-making. There were just too many layers of bureaucracy to penetrate for timely information exchange to occur. This disconnect transcended the internal network of the Intelligence Services Section across the Investigations Branch to the Investigations Section. On many occasions, intelligence products generated by analytical resources never made it to potential consumers within the operational units.
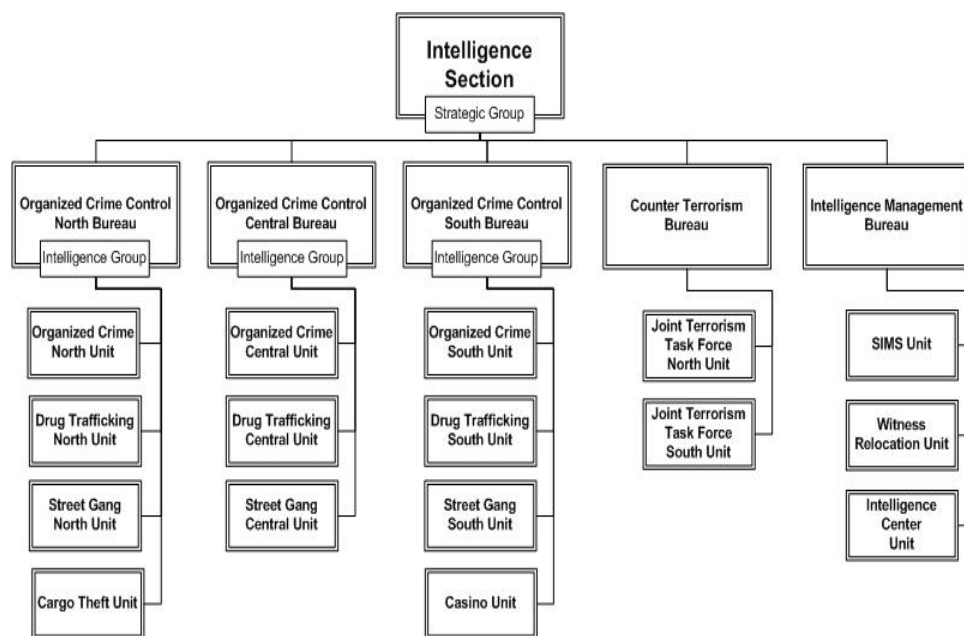
Figure 9.　　Newly Formed Intelligence Section
(From: NJSP Investigations Branch Reorganization Working Group [2005])

The formation of the new Intelligence Section sought to build a framework that facilitates the collection, analysis, and dissemination of intelligence. The former Intelligence Bureau, Street Gang Bureau, and Narcotics & Organized Crime Bureau merged to form three regional Organized Crime Control Bureaus (OCCBs). The primary mission of these new regional bureaus is to collect intelligence on three primary crime programs, organized crime, drug trafficking, and street gang activities. In addition, these bureaus have a duty to ferret out intelligence related to other threats to Homeland Security, for instance, threats to the state's critical infrastructure. The north and south OCCBs each added an additional unit to reflect the particular crime problems in their geographic area. The Cargo Theft Unit, since major airports and seaports were located in northern New Jersey, and the Casino Unit, located in the southern part of the state in Atlantic City. The overall Intelligence Section arrangement acts as a force multiplier, increasing the amount of field intelligence collectors exponentially.

To elevate the stature of its crime analysis and strategic direction function, the NJSP fitted intelligence groups within the command of the Intelligence Section and its regional OCCBs. The Strategic Intelligence Group (SIG), positioned within the

Intelligence Section Commander's staff, is comprised of a team of analysts and an intelligence collection manager. The analysts, split by the crime programs involving organized crime, drug trafficking, or street gang activities, view the Intelligence Section's intelligence function from a strategic perspective. Their role is to provide strategic intelligence products to assist the Intelligence Section command in resource allocation and strategic direction. The analysts also liaison with the regional bureaus on a frequent basis to exchange information critical to the planning and direction needs of the Section. The bureau chief from the Intelligence Management Bureau fills the position of intelligence collection manager, responsible for overseeing the Intelligence Section's planning and direction activities.

At the regional level, the Regional Intelligence Groups (RIG) contain both analysts and intelligence officers responsible for interpreting the criminal environment within each bureau's specific area of responsibility. They are accountable to their respective commands for providing strategic and tactical intelligence products intent on influencing how best to allocate resources. The analysts are each responsible for the primary crime programs involving organized crime, drug trafficking, or street gang activity. The expectation is that they communicate daily with the field units who direct their resources at the same criminal activities. The intelligence officers assigned to the regions will manage the intelligence collection plan and assist with liaising with entities both internal and external to the bureau. Embedding the intelligence groups within each regional command ensures that a rigid bureaucratic framework does not interrupt timely influence. The regional focus in turn equates to greater horizontal authority, which devolves accountability to the regional bureau chiefs that have the authority to alleviate stovepipes.[128]

2. Adopting the Intelligence-Led Policing Philosophy

When the NJSP imposed the architectural changes discussed above, they did so with the intention of ascending the processes necessary for intelligence-led policing. The plan was to infuse the intelligence cycle directly into the core of the Investigations Branch's architecture, policies and procedures, thereby influencing organizational

[128] J. Michael Barrett (Security Specialist and Author, Counterpoint Assessments), interview with author, Annapolis, MD, February 13, 2006.

decision-making. The NJSP interprets the intelligence cycle as depicted in Figure 10. As of this writing, the NJSP commissioned a project that would explore each element of the intelligence cycle and then document the findings in a handbook. The intelligence manual would be available to the entire organization, regardless of assignment, and would delineate what is required on the application of intelligence.

Figure 10.   Intelligence Cycle
(From: NJSP Investigations Branch Reorganization Working Group, Intelligence Manual Project [2005])

Transforming the Investigations Branch from a traditional policing entity to being intelligence-led became the central focus of the reorganization project commissioned by the Deputy Superintendent of Investigations. He directed a significant amount of resources applied toward the design, training, and implementation of Planning & Direction and Analysis & Production, two specific intelligence cycle components that rarely receive attention in American policing operations. The way in which the NJSP embraced these two components, without exception, represent the progressive stance this organization has taken toward a true intelligence-led policing model.

The NJSP designed its intelligence planning and direction process to align all of its intelligence operations strategically while remaining adaptable to respond to the fluid nature of the operational environment. Although the NJSP command sets the broad priorities within the strategy, the intent of the process is to devolve initiative and decision-making authority for how those priorities are addressed to the subordinate

command levels. Planning and Direction entails managing the global intelligence effort of the organization with the needs of the intelligence consumers in mind. On the strategic level, commanders from the NJSP and partner agencies epitomize a typical consumer. At the tactical level, the consumer may be a field detective or uniformed trooper. Establishing success in this strategic venue requires that decision-makers have the relevant intelligence products allowing them to allocate resources more effectively and efficiently. When decision-makers do not have the requisite intelligence to prioritize assets, their practical effectiveness decreases significantly and the squandering of resources often follows. It is the goal of the Planning and Direction process to align resource allocation with the threats exhibited in the criminal environment.[129]

Figure 11.   Intelligence Planning & Direction Process
(From: NJSP Investigations Branch Reorganization Working Group, Intelligence Planning and Direction Project [2005])

The Planning and Direction process engages the start and finish of the intelligence cycle. At the beginning, it involves developing specific requirements. While at the end,

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[129] Dean Baratta (Analyst, NJSP), interview with author, West Trenton, NJ, October 21, 2005.

finished intelligence often produces new information requirements. For the NJSP, the Planning and Direction process (see Figure 11) is composed of seven steps:[130]

- Step 1: Developing the Statewide Intelligence Estimate
- Step 2: Developing the Statewide and Regional Collection Intents
- Step 3: Developing Collection Plans
- Step 4: Collection Tasking
- Step 5: Dissemination
- Step 6: Evaluating reporting
- Step 7: Updating Collection Plans

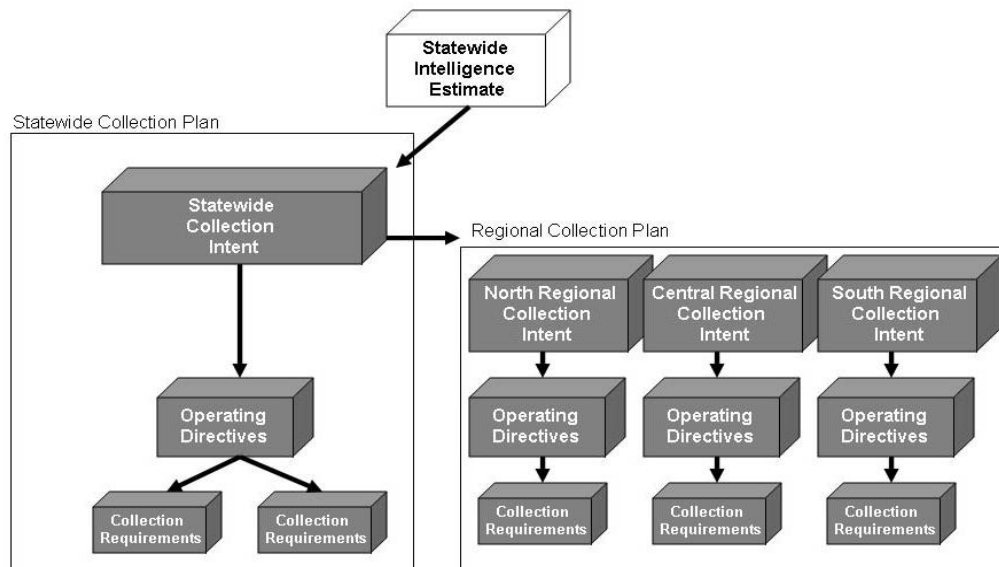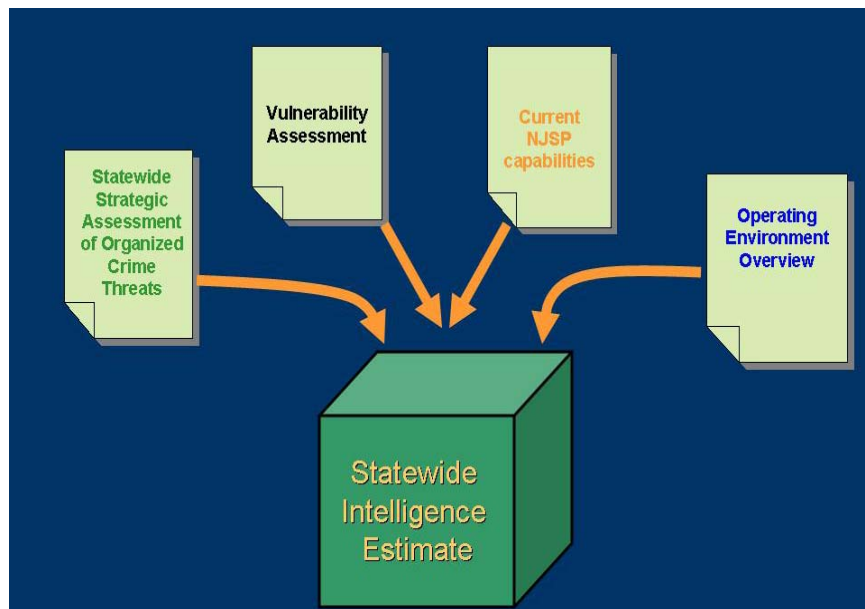Figure 12.   Statewide Intelligence Estimate
(From: NJSP Investigations Branch Reorganization Working Group, Intelligence Planning and Direction Project [2005])

The primary step of the Planning and Direction process, developing the Statewide Intelligence Estimate, underscores the NJSP's commitment towards the Analysis and Production component of the intelligence cycle. The Statewide Intelligence Estimate, once fully implemented will be produced annually for the Superintendent, and consist of four segments (Figure 12):

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130 Dean Baratta (Analyst, NJSP), interview with author, West Trenton, NJ, October 21, 2005.

a)   **The Statewide Strategic Assessment of Organized Crime Threats** - is an assembly of multiple source information products concerning the regional pervasiveness of various organized criminal activities; the criminal networks involved in these activities; and the relationships between "clusters" of criminal activities.[131]

b)   **The NJSP Capabilities Assessment** – is a self-reported evaluation by NJSP investigative units that identifies current capacities for addressing various organized criminal activities.

c)   **The Operating Environment Overview** - describes the legal, political, demographic, social, and economic factors that may have influence over NJSP command operations during the period covered by the estimate.

d)   **The Vulnerability Assessment** - categorizes and assesses industries, geographical areas, or populations in terms of their susceptibility for exploitation by organized criminal elements or terrorists. The NJSP determines vulnerability as the area where the criminal capabilities and intentions overlap with environmental factors that indirectly sustain criminal opportunities.[132]

The intent of the document is to provide NJSP command with direction on engaging threats present in the criminal environment and within the Homeland Security domain with respect to how best to allocate resources to address the problems.

A principal feature of intelligence-led policing involves the collection and analysis of information to produce intelligence products necessary for influencing decision-making at both the tactical and strategic levels. The NJSP, modeling the Central Intelligence Agency in interpreting its intelligence products, has begun producing four finished intelligence products:

- **Current Intelligence** – addresses day-to-day events, seeking to apprise consumers of new developments and related background, to assess their significance, to warn of their near-term consequences, and to signal potentially dangerous situations in the near future. Current intelligence is

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[131] Note: In January of 2006, the Intelligence Section's Strategic Intelligence Group (SIG) completed its first Statewide Strategic Assessment of Organized Crime Threats. For calendar year 2006, in place of the Statewide Intelligence Estimate, this analytical product will guide commanders in resource allocation planning.

[132] Dean Baratta (Analyst, NJSP), interview with author, West Trenton, NJ, October 21, 2005.

presented in daily, weekly, and some monthly publications, and frequently in ad hoc memorandums and oral briefings to senior officials.

- **Estimative Intelligence** – deals with what might be or what might happen. Like all kinds of intelligence, estimative intelligence starts with the available facts, but then migrates into the unknown, even the unknowable. The main roles of estimative intelligence are to help policymakers navigate the gaps between available facts by suggesting alternative patterns into which those facts might fit and to provide informed assessments of the range and likelihood of possible outcomes.

- **Warning Intelligence** – sounds an alarm or gives notice to policymakers. It connotes urgency and implies the potential need for policy action in response.

- **Research Intelligence** – is presented in monographs and in-depth studies. Research underpins both current and estimative intelligence; there are also two specialized subcategories of research intelligence: basic intelligence and intelligence for operational support.[133]

Fundamentally, the design of these products will answer the particular questions needed to aid consumers in their essential job functions. In this respect, a consumer is analogous to the decision-maker, regardless of their level in the NJSP. Some intelligence products contain actionable recommendations that guide decision-makers. Others instead are historical in nature, and provide perspective to past and current crime problems. The Statewide Intelligence Estimate, cited above, is an example of an estimative intelligence product. It is forward-looking in its attempt to forecast events or situations. It will aid NJSP command decision makers in setting resource allocations for the coming year, basing such decisions on objective analysis as compared to subjective bias.

3.   Creation of a Fusion Center

The creation of the Regional Operations Intelligence Center (ROIC), New Jersey's answer to a fusion center, is the third strategic initiative of the Investigations Branch reorganization. It focuses on producing current intelligence and warning intelligence products. The ROIC is a bifurcated entity, consisting of two NJSP Units, the Intelligence Center Unit (ICU) and the Operations Center Unit. A civilian director, who reports directly to the Superintendent of the NJSP, oversees the ROIC. This director also

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[133] Central Intelligence Agency (Office of Public Affairs), *A Consumer's Guide to Intelligence* (Washington, DC: Central Intelligence Agency, 1999), 4.

chairs a governance committee comprised of a diverse set of public safety officials who represent the stakeholders the ROIC must serve for its mission to be effective. The ICU is the component in the ROIC responsible for the rapid collation, analysis, and dissemination of information related to Homeland Security and criminal investigation endeavors. The ICU is comprised of four squads that cover a 24 hour, seven day a week, watch center operation. Each squad contains a sergeant, two detectives, and two analysts. The personnel are trained in querying a variety of information and intelligence systems they have direct access to while serving the greater law enforcement community. The role for which the ICU fills is vital towards preserving the essential state of Homeland Security readiness within New Jersey. Through rapid intelligence exchange, the ROIC will relentlessly grant Homeland Security officials the opportunity to aid in the preemption of a potential terrorist attack.
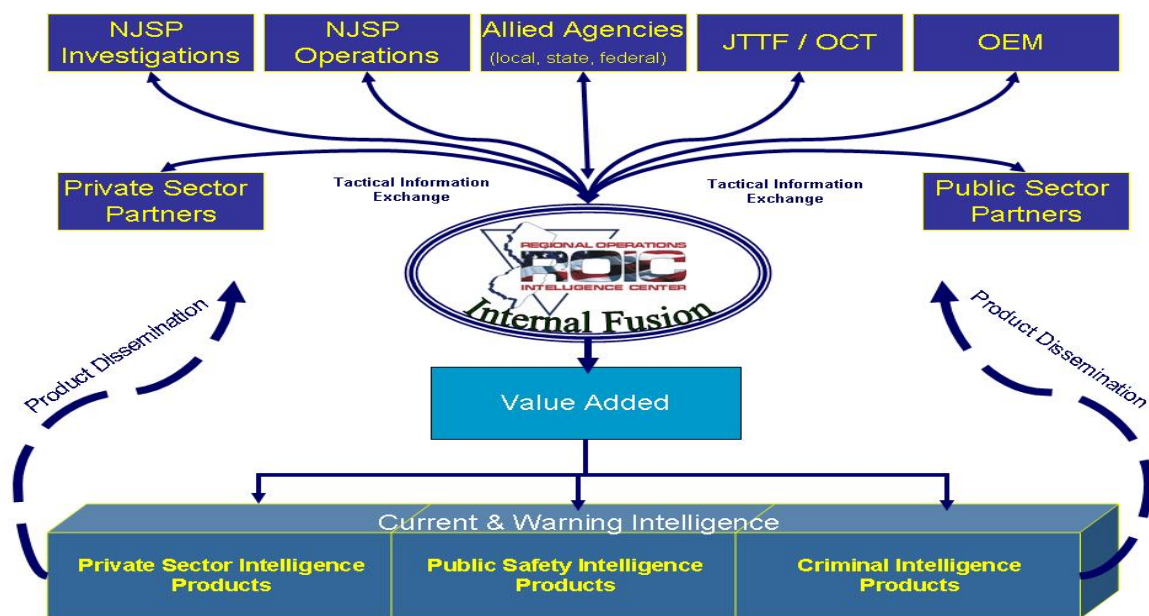

Figure 13.   Regional Operations Intelligence Center Information Process Flow
(From: NJSP Investigations Branch Reorganization Working Group, Intelligence
Regional Operations Intelligence Center Project [2005])

Everyday, analysts assigned to the ROIC pore over scores of documents containing information and intelligence about Homeland Security and criminal activity. The documents, generated by the NJSP's own intelligence apparatus and a diverse set of Homeland Security partners, hold bits of information, some more relevant than their innocuous counterparts. The job of the ROIC analysts is to rapidly assess all available information pieces and draw linkages between them that may avert a terrorist or criminal act. Acting as the nerve center for the State's Homeland Security mission, the ROIC has the capacity to provide tactical information feedback to consumers on a twenty-four hour basis. Information that flows through the ROIC undergoes internal fusion; analysts compare, contrast, and mingle information with other data sets from a broad range of traditional and non-traditional sources. Here the analysts have the unique opportunity to apply the "value added" analysis that can convert an innocuous piece of information into a relevant nugget of intelligence that becomes actionable to the constituents it serves (Figure 13 illustrates this flow of information as it enters the ROIC and then is pushed back to consumers in the form of finished intelligence products). In governing this speedy process, the ROIC has the unique capability to produce warning intelligence products for its expansive base of consumers. The ROIC can connect the proverbial dots from the pieces of information it processes. In addition, the ROIC produces current intelligence products in the form of a daily and other periodic intelligence bulletins. The bulletins target consumers with Homeland Security and crime control responsibilities.

4. Retooling SIMS Distribution

A solid intelligence platform, one that promotes and facilitates intelligence reporting, is integral to the process of generating intelligence products necessary for influencing decision-makers. Without the intelligence report, there are no intelligence products. Without intelligence products, there is no intelligence-led policing. "The key, mundane but imperative, is raw intelligence collection. If collection improves, so will the intelligence and analysis, and ultimately the "dots" get connected. This, of course, is the weakest link – ensuring that collection occurs from the eyes and ears in the field."[134] The

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[134] J. Michael Barrett (Security Specialist and Author, Counterpoint Assessments), interview with author, Annapolis, MD, February 13, 2006.

NJSP, in recognizing these important concepts, understood that the intelligence-led policing process fundamentally begins with the intelligence report. The intelligence report is the vehicle by which NJSP and partnered agencies' field collectors could report indigenous information about the criminal environment to command decision-makers. It was therefore essential for the NJSP to reorient the manner in which they distributed the Statewide Intelligence Management System (SIMS) in an effort to bolster the primacy of the intelligence report and channel its positive aftereffects. The fourth strategic intervention for transforming the NJSP Intelligence Branch into an intelligence-led policing entity called for retooling the SIMS strategy.

In the past, delivering SIMS to the diverse law enforcement community had been an enormous undertaking. The Investigations Branch expended significant time, resources, and personnel in teaching and deploying this intelligence management software application without much return on investment. The NJSP attributed this to the complexity of the software and to a fundamental lack of understanding by its users of the application of intelligence. A usage audit revealed the overwhelming majority of SIMS users had not submitted an intelligence report since leaving training. Except for personnel already trained in intelligence, those filing intelligence reports were reporting on post-event information. Although this type of information is valuable and actionable for furthering an investigation or for starting another investigation, it is reactionary in nature and promotes the traditional model of policing from which the NJSP is now steadfastly avoiding.

According to Huremagic (2003) and Manning (1992), since information is the "critical feature in modern societies," information is the essence of any successful and fruitful criminal investigation.[135] The paramount challenge becomes *when* the police actually receive the information: before, during, or after an event. Ostensibly, if the police receive information before an event they are in the best position to prevent or disrupt the event altogether. However, this proactive style of policing requires the police to advance the methods of surveillance, informants and undercover and intelligence

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[135] R. Huremagic, "Intelligence Led Policing in Bosnia and Herzegovia - the Issues for Debate." [http://www.10iacc.org/content-ns.phtml?documents=300&art=39]. November 2004. P. Manning, "Information technologies and the police."

operations to a higher level. These specialized intelligence techniques require particular skill sets by those responsible for deploying them, and can be a significant draw on resources for those police organizations not conditioned in using them.

In returning to the case of SIMS, the review of the usage numbers was telling. To begin with, in replacing its former intelligence database, the NJSP intended for SIMS to service skilled intelligence detectives, those who were currently practicing and had instruction performing those proactive methods discussed above. Yet, when the software application was introduced to users who had no prior experience with intelligence or its application, the training curriculums were not changed to accommodate those inexperienced in intelligence operations. What resulted was either under-use because SIMS did not fill the needs of these users, or instead, some users submitted their investigation reports (evidence-based, reactive) into a system originally designed to capture premonitory information.[136] This simple observation had significant policy implications for the future distribution of SIMS, and is "generalizable" to other police organizations that now endeavor to create intelligence-led forces.

SIMS may well be the bedrock that anchors the processes needed for the NJSP to carry out intelligence-led policing. In that regard, NJSP commanders felt it was pressing to revamp the established SIMS distribution strategy both internal and external to the NJSP. At the time of this report, the new SIMS Unit, created within the Intelligence Management Bureau was developing a strategic plan to accomplish this new endeavor. The plan, designed to educate and integrate new users on employing SIMS to manage

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[136] Charles Frost and Jack Morris. Police Intelligence Reports: A Compendium on Police Intelligence Reporting Formats and Procedures. (Orangevale, California: Palmer Enterprises, 1983), 32. Note: Frost and Morris differentiate between investigative and intelligence reporting by attributing the principal difference in the meaning of two words: evidentiary and premonitory. The following passage has been directly cited from their work:

Evidentiary – Investigative reporting is evidentiary in nature. It presents statements and information, that, taken as a whole, satisfy the elements of proof of a past criminal offense. A report of investigation should describe whatever is to be reported – fully exactly and plainly – without opinion or amplification. The manner in which this information is gathered must, of course, conform to strict rules of criminal procedure if the defendants are to be successfully prosecuted.

Premonitory – Intelligence reporting, on the other hand, is premonitory. Webster's dictionary defines premonitory as – to alert, to warn, and to provide advance information. Intelligence reporting does not have prosecution as its main objective. This form of reporting is meant to point police organizations in the direction of potential criminal activities that require specifically targeted investigations or alert them to future public safety threats to which tactical responses may be required. By its very nature intelligence reporting cannot be expected to meet the rigorous standards for investigative reporting.

information related to the many facets and levels involved in the intelligence process, would customize its delivery to a particular user group. In addition, the new training curriculum combined with advances in other technology applications would allow users to leverage information collection methods to obtain information "before, during, and after an event." The necessary adjustments to the SIMS delivery would ensure that it delivers a robust intelligence system needed to support the policies and practices of an intelligence-led policing organization in the Homeland Security milieu.

5.   Adopting Regional Accountability

The final strategic intervention of the Investigations Branch reorganization involved adopting a regional accountability approach for managing intelligence and enforcement operations. Preceding the reorganization, command decision-making conformed to a functional specialization paradigm. In other words, the NJSP conducted its intelligence operations, narcotics and organized crime operations, and street gang investigations, under individual commands represented by bureaus of the same names. The captain of each bureau had command responsibility over decision-making involving these individual modalities. This outdated system served to erect information silos within each of these functional programs. An organized crime figure from northern New Jersey trafficking narcotics in the same region would often present a bureaucratic quandary in headquarters requiring mediation at the highest levels of the organization. In addition, the statewide landscape in any one of these crime programs was more than any one command could handle. It meant each bureau chief was responsible for identifying with the organized crime problems of 21 counties. Conversely, if a particular county needed assistance from the NJSP, in the venue of proactive investigations, they would need to speak with three separate bureau chiefs. These issues combined to erect barriers for information sharing that further alienated otherwise willing partners, both internal and external, to the NJSP, not an attribute particularly conducive for the application of intelligence-led policing.

The Investigations Branch reorganization redefined the role of command over proactive investigative entities within its organizational structure. The command focus shifted from a functional specialization to a geographic authority. The NJSP reconfigured

and redeployed investigative entities from intelligence, street gang, organized crime, and drug trafficking elements to three regional commands in the northern, central, and southern areas of the state. This shift divided the bureau chiefs' responsibility by three, allowing them to better identify with *all* the crime problems in that particular area of the state they were assigned. Conversely, a county or region now has a single point of contact regarding proactive investigations, which so often intermingle together. The geographic focus now promotes intelligence and information sharing within the region among investigative elements both internal and external to the organization. It ensures that information-sharing barriers are broken and that criminals who extend beyond the borders of single criminal endeavors are effectively and aggressively pursued by joint elements in the region under a single command. This new structure allows for a parallel shift in the fundamental unit of accountability toward a regional focus rather than to individual investigative performances. This is significant as the NJSP advances the concept of intelligence-led policing which lends more emphasis on understanding the criminal environment and Homeland Security domain prior to allocating resources toward tactical operations. The central element to intelligence-led policing is for the police to understand the environment; "if you know the baseline, you will certainly spot the anomaly." It is critical then that state police commanders and detectives not just know their silo, but understand the milieu they operate inside. Under this paradigm, the state police become "Renaissance Cops" as compared to "Silo Cops."[137]

The new arrangement also provides regional commanders the agility needed to redeploy regional investigative forces if called on to augment the investigative assets of another organization or a significant event. The events that followed September 11, demonstrated the need for this organizational agility. In the wake of the attacks, the NJSP assigned a significant portion of its investigative assets to temporarily assist the Joint Terrorism Task Force (JTTF) with investigating leads. Because of the systems in place at the time, the distribution of NJSP resources severely crippled the organization's capacity of addressing its other crime program responsibilities. Today, the new regional command approach will limit any impact on NJSP investigative resources if called on again to aid

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[137] J. Michael Barrett (Security Specialist and Author, Counterpoint Assessments), interview with author, Annapolis, MD, February 13, 2006.

with a national crisis. Moreover, the regional commander is also in a better position to liaison with other allied commanders in the region who share mutual responsibility over operations, investigations, and other Homeland Security concerns.

Concerning the JTTF, during the Investigations Branch reorganization the NJSP reconfigured its resources investigating terrorism, and tripled the personnel assigned to the FBI's JTTF. Investigating terrorism is a specialized and tenuous vocation, requiring significant intelligence and investigative resources that extend outside the territorial boundaries of the United States and outside the legal purview of state and local laws. The JTTF offers the NJSP a seat at the table for engaging in the nation's investigative war on terrorism, and provides access to relevant intelligence necessary for pre-positioning security forces to protect the state's infrastructure. The NJSP dispersed its compliment of troopers regionally between the northern and southern regions of the state, to the Newark and Philadelphia FBI offices.

D.   ASSESSING THE OUTCOMES

Conventional wisdom offers the opinion that organizational change will take time to crystallize in the hearts and minds of the people who must endure it. Tuckman and Jensen (1977) best explain the interpretation of managing change and transition through their stages of group development (Form, Storm, Norm, Perform).[138] As personnel experience the process of developmental change, creating group norms becomes an integral part toward success. The NJSP is no different in the way it adapts to organizational change. The intelligence-led policing philosophy is a significantly different approach toward policing than the more traditional methods familiar to NJSP personnel. This approach requires personnel, specifically those in command positions, to approach their duties in a different way. Of course, as expected, consternation is often the result.

To aid with getting through the storm and creating the group dynamics necessary to strengthen the developmental processes surrounding intelligence-led policing, the NJSP turned to subject-matter experts from outside the organization. Following the

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[138] M.K. Smith, "Bruce W. Tuckman - Forming, Storming, Norming and Performing in Groups, *The Encyclopedia of Informal Education,*" [www.infed.org/thinkers/tuckman.htm]. January 2006.

maxim, "you cannot be a prophet in your own land" the NJSP enlisted the expertise of the Manhattan Institute Center for Policing Terrorism. The Manhattan Institute, a distinguished think tank from New York City, began educating and consulting the New York City Police Department in counter-terrorism principles following the attacks of September 11. In that time, the Manhattan Institute added the NJSP to its short list of police organizations for which it consults concerning Homeland Security. The Manhattan Institute provided a host of seminars designed to educate NJSP members in the benefit, skills, and processes surrounding the application of intelligence. Each seminar featured presenters with an expertise in the application of intelligence or intelligence-led policing. In addition, the Manhattan Institute provided the necessary counsel to the NJSP for adapting the requisite command processes needed for adopting intelligence to guide organizational decision-making.

Another particularly useful instrument the NJSP command will have to gauge the effectiveness of the application of intelligence and intelligence-led policing within the Investigations Branch is the new *E-daily* put into service in January of 2006. The *E-daily* is a computerized time tracking system that records the time NJSP members work. The designers of the first generation of the *E-daily* system geared it primarily towards recording tasks that were in line with those working in uniform field operations. The design offered little to commanders in the investigative domains in terms of gaining an accurate picture of how and where their personnel were spending their work time. Today's second generation *E-daily* now accommodates the nuances involved in the specialized field of criminal investigation and intelligence operations. As this new design evolves, commanders will be able to evaluate their personnel on a range of criteria to include the application of intelligence. In addition, the information contained within the *E-daily* system will aid commanders in resource allocation and analysts with producing the annual NJSP capabilities assessment.

In the fall of 2005, the NJSP instituted its new architecture within its Investigations Branch to engender intelligence-led policing. In all likelihood, it will take at least a year to evaluate the new policies, protocols, and processes the NJSP has in place. However, the new architecture itself can be assessed against the backdrop of the

evaluative criteria deemed vital for policing in the Homeland Security. These criteria are further delineated as operational readiness, creating intelligence and warning, and producing strategic intelligence planning.

Israeli National Police Brigadier General Simon Perry, during a Suicide Bomber Seminar at Princeton University in the Spring of 2004, defined operational readiness as a police organization's capacity to support specialized intelligence units, a police force trained in intelligence, target objectives designed to increase intelligence operations, and strategic actions against criminal networks.[139] When the Investigations Branch reconfigured its architecture to promote intelligence sharing and intelligence influence over command decision-making, it essentially strengthened each of General Perry's attributes of operational readiness within the NJSP Investigations Branch. The amount of detectives now assigned to field units, which have a primary mission of collecting intelligence, has exponentially grown from less than 20 to over 140. With this growth the NJSP has and will continue to see requisite training in the tradecraft of criminal intelligence collection expand. What have resulted are criminal investigations that are strategic in nature. As an example, prior to the Investigations Branch reorganization investigators assigned to the Street Gang Bureau could initiate criminal investigations on targets regardless if those targets were identified in threat assessments. Today, analytical assessments inform and guide operations against gang activity by the NJSP.

The Investigations Branch reorganization has also significantly bolstered the ability for the NJSP to provide intelligence and warning both internal and external to the organization. The ROIC, a twenty-four hour intelligence center, is rapidly evolving into a dedicated fusion center that combines intelligence resources from traditional and non-traditional sources. It currently produces current and warning intelligence products for wide dissemination within the state and to interstate Homeland Security partners. In addition, the arrangement of analytical resources affords the ROIC the unique ability to supply criminal investigative support to partnered agencies.

Lastly, the strategic intelligence planning criteria called for in advancing Homeland Security is an area the Investigations Branch has thoroughly embraced. The

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[139] Simon Perry, *Police intelligence lecture presented at the Suicide Bomber Seminar sponsored by the Jewish Institute of National Security Affairs held Princeton, New Jersey, Spring 2004.*

NJSP has imposed a host of new procedures, policies, protocols, and training curriculums that reflect the importance of strategic intelligence planning within its Investigations Branch. In addition, the analytical component of the Intelligence Section completed the first in the NJSP's eighty-five year history a preliminary version of a Statewide Intelligence Estimate. This document will guide command decision-makers of where best to earmark intelligence and investigative resources based on the capabilities of the NJSP, the threat posed by criminals, and the vulnerabilities that present opportunities for organized criminals and those seeking to commit terrorist acts against the homeland. The Intelligence Section will produce the Statewide Intelligence Estimate yearly, which will launch the strategic intelligence and planning process outlined above.

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Reorganizing the NJSP Investigations Branch embodies two main ideas. First, the architecture unmistakably sustains the necessary processes compulsory for the intelligence-led policing philosophy. Second, by nurturing this innovative intelligence-driven framework, the organization clearly advances the obligatory criteria considered essential for policing in the Homeland Security Era. When the NJSP chose intelligence-led policing as an agenda for change needed to separate from the traditional reactive style of policing, it positioned itself as a leader in the Homeland Security community. The measures the NJSP has put in place to confront the investigative challenges of Homeland Security have operationalized Abraham Lincoln's famous words, "As our cause is new, we must think anew and act anew."

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IX. CONCLUSION

A. POLICING THE HOMELAND

The calamitous events of September 11, 2001, provoked a realization that police organizations nationwide must better organize themselves to defend the homeland against an asymmetric threat. The threat, represented by a foreign enemy with the ingenuity, desire, and wherewithal to penetrate America's conventional defenses, may still be living among us. This notion has transformed the police from crime fighters to defenders of the homeland. The challenge is great considering the advent of Homeland Security presses the need for operational readiness, intelligence and warning, and a strategic planning outlook embedded directly into the core of state police organizations.

For state police organizations, the metamorphosis requires far greater change than for the majority of their county and local counterparts. The nature of state police obligates them to bear the bulk of new duties and responsibilities coupled with this new era of Homeland Security. Of course, for these organizations forced to balance crime control with security, a homeland defense mandate will certainly induce change. It will compel them to shed traditional reactive styles of policing for more proactive methods considered necessary for tackling problems before they mature and potentially cause colossal destruction or impact on the state; all while continuing to respond to the plethora of issues intrinsic to traditional policing.

An amalgam of disparate elements make up today's model for Homeland Security. Guided by legal and social influences, these elements include intelligence and warning, border and transportation security, domestic counter-terrorism, protection of critical infrastructure, defending against catastrophic threats, and emergency preparedness and response. Taken together, they require changes in the way in which state police perform and how they choose to allocate their resources. Achieving these fundamental qualities, commands an agenda for change vital towards separating organizations from the institutional-stasis in which they find themselves.

B. POLICY IMPLICATIONS

Against the backdrop of these Homeland Security rudiments and by applying a policy options analysis framework, this thesis compared and contrasted three policing paradigms. The research assessed the professional, community-policing, and intelligence-led policing models for their practical application in the Homeland Security Era. The intent of the investigation was to advocate for a suitable agenda for change, in respect to one of these paradigms, that a state police organization could espouse in order to tackle the challenges of promoting Homeland Security. In the final analysis, it was intelligence-led policing that proved favorable towards advancing operational readiness, intelligence and warning, and strategic intelligence planning, all to better protect our citizens.

The Homeland Security milieu is a volatile and amorphous realm, accounting for an environment that both criminals and terrorists endeavor to exploit. Taking charge of this environment requires police decision-makers to commit the essential assets aimed at interpreting its threats. Through the cycle of intelligence, decision-makers can effectively allocate resources compulsory for addressing the problems revealed within the environment. The intelligence-led policing model, a system that depends on the production and dissemination of finished analytical products aimed at influencing decision-makers, will widen an organization's capacity for engaging multiple responsibilities. Consequently, this thesis argues that intelligence-led policing is the principal policing paradigm necessary for planning and supporting the various enterprises that state police organizations will inevitably encounter while providing a blanket of Homeland Security.

The NJSP Investigations Branch was used extensively as a test case because, in carrying out this preference of intelligence-led policing as its primary agenda for change, it underwent a notable reorganization. The restructuring amounted to a transformation from a traditional policing entity to one that is now intelligence driven. The transformation included removing architectural barriers, adopting the processes intrinsic to an intelligence-led policing philosophy, creating a "Fusion Center," retooling the distribution and management of its Statewide Intelligence Management System, and

adopting a regional accountability plan for managing intelligence and enforcement operations related to organized criminal activities of a criminal or terrorist nature. By adopting the intelligence-led policing model, the Investigations Branch amplified its capabilities for confronting the investigative challenges of the Homeland Security Era.

C.   SUGGESTIONS FOR FURTHER RESEARCH

Previous research has demonstrated that intelligence-led policing is an effective crime reduction strategy. Yet, concerning Homeland Security, there are no quantitative or qualitative studies that assess the effectiveness of an intelligence-led policing program. With the adoption of intelligence-led policing by the NJSP there exists a notable opportunity for future research in this remarkable field. A prospective research project may include assessing the process outputs and outcomes that intelligence-led policing ought to generate as it endeavors to influence organizational decision-making. In addition, by evaluating how intelligence-led policing disrupts potential criminal and terrorist activity through defusing opportunities and vulnerabilities that sustain illicit activity, police commanders can construct a framework useful for managing accountability in the intelligence-led policing domain.

A comparative in-depth study of how the Israeli National Police, London's Metropolitan Police, and the Police Service of Northern Ireland apply and optimize the intelligence-led model would be a useful product for police managers in the United States to assess. For a considerable amount of time, these foreign law enforcement organizations advanced the intelligence model in a way that permeates the structure of their entire organizations. Such a study would not only examine their hierarchal structures, but through interviews of commanders and officers on the street, could illuminate organizations such as the NJSP, on how to facilitate its acceptance through a changing culture of policing.

Further research should also be conducted into the areas of the limitations of the intelligence process and how to work around them, methods to improve data collection from a variety of uniformed and civilian sources, integration with private sector data aggregation services, and alternate analysis processes such as enemy "red teaming" and role-playing to support predictive analysis.

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